

**CITY COUNCIL MEETING  
COUNCIL CHAMBER**

Regular Meeting

May 24, 2022

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

A notice of this meeting and an agenda were made available on the City's website May 19, 2022 and appeared in the Post and Courier on May 23, 2022.

PRESENT (13)

The Honorable John J. Tecklenburg, Mayor (*Virtual*)

Councilmember Gregg	District 1	Councilmember Waring	District 7
Councilmember Shealy	District 2	Councilmember Seekings	District 8
Councilmember Sakran	District 3	Councilmember Shahid	District 9
Councilmember Mitchell	District 4	Councilmember Bowden	District 10
Councilmember Brady	District 5	Councilmember Appel	District 11
Councilmember Gregorie	District 6	Councilmember Parker	District 12

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

The Clerk called the roll.

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

Councilmember Gregg opened the meeting with an invocation.

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

Mayor Tecklenburg said, "Thank you very much, Councilmember. So, I'd also like to thank all of my well-wishers who have sent me get well wishes. My symptoms with COVID have been very mild and, as a fact, today, I'm feeling great. I would be there with you other than they say I should stay away from folks for a few days, so I'll be back in just a couple of days. So, even though I can see you all and hear somewhat well, without objection, I would like to ask Mayor Pro Tem Brady to lead us, conduct the meeting, this evening. We have 12 public hearings, and I think just being there in person and seeing and hearing everything in person probably runs the meeting a little more effectively. Any objection to that?"

No one asked to speak.

Mayor Tecklenburg said, "Hearing none, take it away Mayor Pro Tem."

Mayor Pro Tem Brady said, "Thank you, Mayor Tecklenburg."

Mayor Tecklenburg said, "You all are looking pretty good by the way."

There was laughter in the Chamber.

Mayor Pro Tem Brady said, "Thank you. Alright. I'd like to remind everyone in attendance, in the unlikely event of an emergency, you're going to exit out of these doors and proceed down the stairs and out of the building. Please do not use the elevator in the event of an emergency. So, with that, I would like to move on to our Presentations and Recognitions. We have a [proclamation recognizing Elysa Wesolek](#), who is with the University of South Carolina Women's Gamecocks NCAA National Champions."

There was applause in the Chamber.

Mayor Pro Tem Brady said, "You can feel free to come up with your guests and stand behind me, and I will read the proclamation on behalf of Mayor Tecklenburg, and if any Gamecock faithful from City Council want to come up, too. Alright. Come on up. Yes, I was going to say a crowded field today. Alright. A proclamation."

Mayor Pro Tem Brady read the proclamation.

---INSERT PROCLAMATION---

There was applause in the Chamber.

Elysa Wesolek said, "Well, I want to keep it short and simple, but I am grateful for this honor and to be recognized by my home State and home County, but I just want to say thank you. Go Cocks!"

There was applause in the Chamber.

Mayor Pro Tem Brady said, "Would anyone else like to speak?"

Mayor Tecklenburg said, "Congratulations, Elysa."

Mayor Pro Tem Brady said, "Alright. While everyone takes their seats, we will move on to [public hearings](#) tonight. We do have 12 public hearings to get through tonight, so I'd like to set the time limit at 60 seconds for those wishing to be heard on the public hearing matters just given the sheer number that we have. I'll move on to [item 1](#) and have Legal present."

Julia Copeland said, "Thank you very much. So, this is a public hearing regarding a request to abandon a portion of Third Avenue. The applicant, Ann Casey, is here tonight. She flew in from Colorado. I will share with you the thoughts and the reasons why she is asking for this, but let me just start by saying that Ann Casey is a Charleston native. This property has been in her family since 1979, and her plan is to move back here from Colorado and build a home on this property. Based on her request from November 12, 2021, and you should have an aerial in your packet showing the property if you want to refer to that. There may actually be something online. Is there anything online, Jennifer, for the screen or no?"

The Clerk said, "No, we did not receive any slides."

Ms. Copeland said, "Okay, just making sure. So, according to the applicant, the request is being made because within that area, and she's calling it a sliver, it's a triangle of Third Avenue. It's a piece that's 2,658 sq.ft. Most of it is in an embankment into the marsh, it's not highland, but sitting on that triangle is a grand oak tree. It has been damaged pretty significantly by storms, and a piece of it is actually hanging in the direction of where the house is going to be built. So, one of the requests is, if she gets this piece of Third Avenue, she will be responsible for the tree and its maintenance as opposed to the City. We abandoned Eighth Avenue several years ago and split it between the two adjacent owners. Ms. Casey is one of those owners, so now that she has Eighth Avenue, the second reason is that portion of Third Avenue is now landlocked. If anyone wanted to access that piece, they would have to go through her private property. Reason number three, if you're looking at the property and facing the water, a portion on the right has been eaten away by time and the tide, and the request is being made because it's a counterbalance to receive that 2,658 sq.ft. piece. It would be a counterbalance to the loss for the rights of the property. Also, she is claiming that to have this 2,658 sq.ft. piece, it's necessary to be able to satisfy the minimum setback requirements should she build a house on this piece of property. So, with that said, I do believe Tom O'Brien is on and Jason Kronsberg is here, as well, from Public Services and Parks, and they probably want to have some words, as well. Thank you."

A citizen interrupted from the audience.

Mayor Pro Tem Brady called for order.

Mayor Pro Tem Brady said, "You can speak during Public Comment, but this is not the Public Comment Period yet. There is a Public Comment portion coming during this portion of the public hearing, which we will get to after staff presents to City Council. Is Tom or anyone else from staff presenting?"

Tom O'Brien said, "Can you hear me, sir?"

Mayor Pro Tem Brady said, "I can."

Mr. O'Brien said, "Okay. Hi, this is Tom O'Brien, Director of Public Service. When we received this request, we did as we normally did and we sent out requests for comment from City department heads and also utility companies, which is our standard procedure when we receive these requests. The comments we received back were not in favor of granting this closing and abandonment for a couple reasons. With sea level rise and other things, which we do not know will happen in the future, along with the potential for, I think Jason will speak to it in a few minutes, the potential of park land for a linear-type park. We just feel that just abandoning City property at this time is not a good idea, and for those reasons, we do not wish to recommend for approval of this request."

Mayor Pro Tem Brady said, "Alright. Does anyone else from City staff wish to present on this? Mr. Kronsberg. For Coach Staley, just hang with us. We'll get to it in a second. I'm sorry."

Jason Kronsberg said, "Thank you. So, waterfront property in the City of Charleston is very precious, right? The way this edge of land extends off of Third Avenue, it is quite a bit of highland if you look at it. There are some nice trees which may not be in the best condition, but in the future, with sea level rise, the potential for using this land to protect against that sea level rise, the potential for using this land as a linear park along the edge, particularly bridging over to the Longborough neighborhood, we just have to think of things in the 100-year time span. You

know, are we going to do anything with it right now? No, but it's in the public domain, and we just need to be very careful of what we do with that land and not be too short-sighted by simply giving it away."

Mayor Pro Tem Brady said, "Now, if it's okay, I'd like to ask leave of Council since we have [Coach Staley](#) on, and we just did our proclamation, I'd like to give Coach Staley the chance to congratulate Elysa, if that's okay with the rest of Council. Alright. Take it away Coach."

Coach Dawn Staley said, "Hello. I would just like to thank Elysa and the Wesoleks for just sharing their time and their daughter with our program. Obviously, during Elysa's time with our program, we've experienced some historical wins, and it's attributed to Elysa's sacrifice and her ability to share while being a great teammate but, you know, how she grew up and that it comes by way of the City of Charleston, so I am not surprised by her receiving this recognition and the entire family for the success right now and also the success of the future that she will bring and continue to make the City of Charleston proud."

Mayor Pro Tem Brady said, "Well, thank you, Coach. We greatly appreciate it. You have a great rest of the day and go Cocks!"

There was laughter in the Chamber.

Mayor Pro Tem Brady said, "Alright. I'd like to resume the public hearing for item 1. As I stated at the beginning, we have 12 public hearings, so we will cap time at 60 seconds for those wishing to speak. Is there anyone signed up for this matter, Madam Clerk?"

The Clerk said, "Anthony Bryant."

1. Anthony Bryant said he was there for his individual liberties, not for civil rights. With prohibition in the Country, as a Black man in terms of that property and denying access to Black people, he used to play in that neighborhood years ago, but nobody Black played in it now. The racism in zoning and policies in the City was pervasive. He thought now they knew how the City felt about Black people. He thought the policy was reflective of how they voted, and the quality of the City's mission statement talked about public safety, physical space, and the City had to let the public know on the third reading of the effective date. They had a right to judicial review against any policy the City put forward.

Mayor Pro Tem Brady said, "Okay. Is there anyone else that would like to come forward and be heard on this matter?"

2. Mohammed Idris said he didn't feel like the City could say that the land was not right to build on when the City took and put their museum on contaminated land. The staff of the City were like a bunch of snakes, and he said they were deceiving them. He asked why the City wouldn't want the person to build on that land when they put a multi-million dollar African American Museum on land that the City had said was contaminated. They moved the people off the land and then put their museum on contaminated land.

Mayor Pro Tem Brady said, "Thank you, sir. Yes, please come forward."

3. Michael B. Lesser said his grandfather, Melvin Lesser, won a State Supreme case in 1995 for repairing rights in navigable water against all of the Masters-of-Equity Courts and was overturned with the State Supreme Court. Coburg contended that they had a writ from the King of England that didn't require them to pay taxes. Coburg vs. Lesser, 1995, Judge Condon. Everyone had a dock on Chadwick Drive. His grandfather tried to build it down from South Windermere and they said, 'No,' and his grandfather said, 'That's no good.' Eventually, he found that little bluff, and Coburg contended and Judge Condon that it couldn't be done because they didn't have to pay taxes, so it was theirs. It was in the line of site.

The Clerk said, "Time."

Mayor Pro Tem Brady said, "Is there anyone else who wishes to be heard on this matter? Yes, please come forward, and if you could state your name and address for the record, that would be great."

4. Ann Casey said it was her request and she was grateful for Council to hear it. It was continued unfinished business. It was 1985 when Council quit-claimed a portion of Eighth Avenue to her to both properties, and in 2015 they continued and finished it. Her request was really not the Third Avenue being quit-claimed to her, it was the continuation of Eighth Avenue that was done in 1985 and then in 2015. The sliver of property she referred to, there was probably 600 ft. of high ground in the total 2,658 sq.ft., and then the rest of it was an absolute embankment down to marsh. There was no building of anything on it. The only intention she had of the request was that the City maintain the trees on the property.

Mayor Pro Tem Brady said, "Thank you. Is there anyone else wishing to be heard on this matter?"

No one else asked to speak.

Mayor Pro Tem Brady said, "Alright. If not, the matter comes to Council."

Mayor Tecklenburg recognized Councilmember Gregorie followed by Councilmember Shealy.

Councilmember Gregorie said, "Just--can we determine where we have done this before in that area? Haven't we?"

Ms. Copeland said, "Yes, sir. We have."

Mayor Pro Tem Brady said, "Please come to the mic."

Ms. Copeland said, "Yes, sir. In fact, adjacent to this particular property, Eighth Avenue, and that was abandoned in 2018, I believe, all of the way to the end. It actually stops at Third, and it was quit-claimed to either adjacent property owner. I think there were some other roads, as well. There was a memo I sent out to you guys earlier today that talks about this consideration. I think it was in '85 where several paper streets were abandoned. I do believe Third was specifically cut from that decision because there are portions of it that are on the marsh, and there was consideration of using it as a linear park at some point in the future, which I think is what Mr. Kronsberg spoke to."

Councilmember Gregorie said, "Just for clarity, can Jason come up again? Jason, I wasn't clear on your recommendation."

Mr. Kronsberg said, "So, Eighth, by the way, I didn't vote for that one either because that really interrupted the connectivity there, but at the end of Third Avenue, at the rear of all of those property lines, is highland. A portion of it has some nice trees and, again, in 100 years or so, whatever the case may be, it could be a small waterfront park for that neighborhood. So, as the Parks Director, that's my recommendation. Then, when it comes to land of public domain, we had the same similar scenario down near Hazel Parker Playground. It wasn't a right-of-way, but it was City land. We had it appraised, and we appraised per square foot because there was a sliver of land, the property owner needed it, and they had to purchase that land from us."

Councilmember Gregorie said, "The reason why I raise those questions is because the parcel is in my district and, while I've not heard any opposition necessarily from the neighborhood, I'm still a bit concerned to take something out of the public realm and so to complete sort of the taking that occurred many, many years ago. I know that we talked about it, so it's not new to me, but I'm a little concerned."

Mayor Pro Tem Brady recognized Councilmember Shealy followed by Councilmembers Gregg, Seekings, and Sakran.

Councilmember Shealy said, "Thank you, sir. I just wanted to check. There was a little bit of confusion when Tom O'Brien was speaking, and I just wanted to clarify with Mr. O'Brien that he was recommending disapproval and if he could just give us a couple of words on that because there was some confusion when he was speaking."

Mr. O'Brien said, "Councilmember Shealy, can you hear me now, sir?"

Councilmember Shealy said, "Yes, sir. Very clear."

Mr. O'Brien said, "I'm sorry. My camera is not working, but yes, sir, you are correct. I was recommending to not approve this item. The reason is, as Jason explained there in person and myself, we need to look in the future and not just now and that potential for highland along the water with sea level rise and the potential for a park and having long-term vision. We've had some of these items come up before, and there have been recommendations, in some cases, for approval, but in most of the cases along the waterfront, we've recommended not for approval."

Councilmember Shealy said, "Thank you, sir."

Mr. O'Brien said, "Yes, sir."

Mayor Pro Tem Brady recognized Councilmember Gregg followed by Councilmembers Seekings and Sakran.

Councilmember Gregg said, "It's unclear to me from all of the graphics we have exactly what we're talking about quit-claiming, so has any of what was formerly Third Avenue been entitled at all?"

Ms. Copeland said, "No. In 2018, there was a similar request from a neighbor two lots up, Mr. Meislin, and that was denied."

Councilmember Gregg said, "Do we have a graphic that shows the sliver?"

Ms. Copeland said, "There should be. Right here."

Councilmember Gregg said, "Okay. So, it's that whole--"

Ms. Copeland said, "That's Third Avenue."

Councilmember Gregg said, "So, this--"

Ms. Copeland said, "Sorry. In the packet for your agenda."

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

Councilmember Gregg said, "It's just the highlighted section? This yellow highlighted section is that what we're talking about?"

Ms. Copeland said, "Yes."

Councilmember Gregg said, "Okay."

Mayor Pro Tem Brady said, "Alright."

Mayor Pro Tem Brady recognized Councilmember Seekings.

Councilmember Seekings said, "Thank you, Mr. Mayor Pro Tem. Procedurally, how does this work? So, does a citizen come to us and ask us to abandon, and it naturally deeds over to them?"

Ms. Copeland said, "For paper rights-of-way like this, the City can do it on its own initiative, or we can respond to an application by an adjacent property owner. Yes."

Councilmember Seekings said, "And, so this was an application from the adjacent property owner for us to abandon and then quit-claim deed back over?"

Ms. Copeland said, "Correct."

Councilmember Seekings said, "Why would we do that? I mean, I don't--"

Ms. Copeland said, "We have done it in the past. I'm sure the reasons are always varying, but--"

Mayor Pro Tem Brady recognized Councilmember Sakran.

Councilmember Sakran said, "Thank you, Mayor Pro Tem. This is actually in my district just barely, and I have had an opportunity to speak with the applicant. Two questions I have. Number one, in the past, in that area, have we gone through and approved the request of the property owner? I know the one instance with Mr. Meislin, but were there any instances we approved these requests?"

Ms. Copeland said, "I believe with Eighth Avenue that was a request that was satisfied, but Mr. Meislin's request on Third was denied."

Councilmember Sakran said, "Okay. I understand that we need to look to the future, but in this particular instance, having the history that has been going on for at least 20 years, I'm going to support her request, and I urge my fellow Councilmembers to also consider that. We've had lengthy conversations. She's done her homework. I get the rationale from the City side, but I'm going to vote to support this."

Mayor Pro Tem Brady recognized Mayor Tecklenburg.

Mayor Tecklenburg said, "Thank you. One question for Planning, the lot, I heard it mentioned that they wanted to build a home on their lot. Are they able to proceed to build a home on the lot without this addition from the City?"

Ms. Copeland said, "Ms. Casey might be able to speak to this because you've had conversations with Mr. Batchelder now."

Mayor Tecklenburg said, "Well, I mean, from a zoning point of view."

Ms. Copeland said, "I believe she can. Mr. Morgan."

Christopher Morgan said, "Mayor and members of Council, so it's zoned SR-2 over there, I believe. So that's like a 6,000 sq.ft. minimum lot, has 25 ft. front setbacks, 9 ft. side setbacks. So, I would think it does have some irregular shape there, and there could be issues with critical line buffer areas, but it would seem like, given the amount of lot area that is owned, that a house could be placed in that location without this extra land."

Mayor Pro Tem Brady recognized Councilmember Shahid.

Councilmember Shahid said, "Maybe the applicant can answer this for us, but is there a hardship if we do not grant this request to her?"

Mayor Pro Tem Brady said, "Ms. Casey."

Ms. Casey said, "No hardship except for the fact that in 2019 a large tree on the sliver fell over onto my property and damaged a wall and, at that time, Mr. Wilkerson of Urban Forestry came out, and he said he believed that it would be fine to have the City do this, to relieve the City of the potential future, further having to pay for cleanup, and to also ask me permission to cross my property to get to this sliver. It's landlocked. You can't get to it unless you ask my permission to go across my property to get to it, so it's a cleaning up of the section, and there's a lot of high ground of paper Third Avenue all to my left, but right behind adjacent to my property it is only an embankment down to the marsh."

Councilmember Shahid said, "So, just to be clear, we own the land that's being asked to be abandoned? Is that correct?"

Ms. Copeland said, "Right. It is our right-of-way."

Councilmember Shahid said, "It's our right-of-way. Can we, besides waiting 100 years to do something, is that land usable for any other purpose right now?"

Ms. Copeland said, "Other than a passive park, no. It's completely overgrown right now."

Councilmember Shahid said, "I grew up in this area and spent a lot of time back around this portion of the land, and I know what you're talking about. We would play out there and walk around that area. It's beautiful, and it's got a nice view, I suspect, from there, so there's some benefit to the City at some point if we maintain ownership and control the property, but I understand your concern. That's why I asked the question, whether or not there was any hardship to you if we don't do that."

Ms. Casey said, "And maintaining ownership of the whole paper avenue of Third Avenue makes sense for the City to do. The piece that I'm discussing is that little yellow triangle, the drop-off of Third Avenue. Third Avenue will drop off at that triangle, and it's literally an embankment down to the marsh, so it's a sliver of the Third Avenue where Eighth Avenue comes in."

Mayor Pro Tem Brady recognized Councilmember Parker.

Councilmember Parker said, "Thank you, Mr. Mayor Pro Tem. Can someone clarify quickly, she said that our sliver, let's just call it the yellow sliver, is landlocked or can the public, can we access it?"

Ms. Copeland said, "Right now, we deeded Eighth Avenue to the adjacent owner so there is no City land that we can cross over to get there. We can get to Third Avenue if we start at Third Avenue and walk the length of the marsh, so we can access it. We just couldn't access it through Eighth Avenue anymore."

Mayor Pro Tem Brady recognized Councilmember Waring.

Councilmember Waring said, "Thank you, Mr. Mayor Pro Tem. Mr. Kronsberg, I'm going to be a little selfish. The district that I'm proud to represent is an interior district, so any time any other districts on Council, all 11, have the opportunity now and in the future to create public access to the waterway, I'm going to be for that. I'll tell you why because the folks from the district that I represent can come and visit. Your district, and your district, and all of the way around this table. Linear parks are just absolutely wonderful. Right now, it's unkept, so we're going to give it away because we don't want to go in there and prune it and give access from Third Avenue? I haven't seen it, but I know one thing, with the proper equipment we could unlock the actual beauty for everybody to behold. If I listen to the property owner, she basically wants the tree fixed, pruned, or whatever can be done. The reason I call Mr. Kronsberg to the microphone, what is the name of the Irish park I think it's at the end, is it Elizabeth Street?"

Mr. Kronsberg said, "The Charlotte Street Park."

Councilmember Waring said, "Charlotte Street, and that's basically a street right-of-way. I invite all of you all to go visit. It's the width of a street that continued right into the waterway virtually the same size as this, but it's amazing what \$2 million could do, and that's why we can enjoy that right now. It was not deeded away, and it's in the public realm, but for overgrowth, many other people can enjoy this, as well. So, I don't know of a situation where we have basically two department heads, and we pride ourselves in the quality of work and recommendations that our department heads come forth with. We've got not one, but two department heads that oversee a major portion of this City, Public Works and, obviously, our

Parks and Recreation Capital Projects with Mr. Kronsberg. There is no way I'm going to go against the recommendations of the institutional knowledge that these two gentleman have that we always give kudos to. They're overworked, underpaid, and they're coming and giving us the best advice that they have to offer. So, on this one, I'm going to have to support staff on this and I pray that one of these days we can unlock the beauty in the public realm for all to enjoy. Thank you."

Mayor Pro Tem Brady said, "Madam Clerk."

The Clerk said, "Mr. Mayor Pro Tem, I think the Mayor had another question."

Mayor Pro Tem Brady recognized Mayor Tecklenburg.

Mayor Tecklenburg said, "Thank you so much. I did want to share respectfully that, during our Comprehensive Plan, we did a lot of analysis on the creep of marsh over time with sea level rise, and anything along the marsh's edge is likely to see that occur. So, to have a buffer any place that we've got it, I think is important and then, I mean, we've been talking about a perimeter protection of the Peninsula for three or four years now. You know, I know the plan for Wagener Terrace neighborhood may not currently go up into this area of marsh, but I mean we can't, it seems to me, with all of the need we have for perimeter protection, to give up any perimeter just doesn't make sense right now. Respectfully, I'd love to accommodate Ms. Casey's request otherwise, but she does have access to her property by the end of Eighth Avenue, and by zoning, she can build a house on it. She'll be able to enjoy the vacant City property in front of her home for probably years to come and, anyway, for all of those reasons above, I would vote against this. Thank you."

Mayor Pro Tem Brady said, "Thank you, Mr. Mayor. Are there any other Councilmembers that wish to be heard?"

Mayor Pro Tem Brady recognized Councilmember Gregg.

Councilmember Gregg said, "A quick question, just for clarity for everybody here, all of the parcels north of former Third Street are also City parcels. That wasn't clear from the information, but that's all City property, so I think that's important to note that it's not technically landlocked, but that further opens the waterfront. So, parcels ending in TMS numbers 3082, 0002, 0009, 0010, and 0001 that's all City property."

Councilmember Sakran said, "Yes."

Councilmember Gregg said, "I thought everybody should know that."

Mayor Pro Tem Brady said, "There's not a motion pending on the floor. Would someone like to offer a motion regarding this action?"

Councilmember Shealy said, "Move for denial."

Councilmember Waring said, "Second."

Mayor Pro Tem Brady said, "So, just so that we can move under regular procedure, if you want to make a motion to approve and a second, it would fail. When you can 'nay,' it just makes it a little more clearer for the public."

Councilmember Shealy said, "Okay. Move for approval then."

Councilmember Sakran said, "Second."

Mayor Pro Tem Brady said, "It's been moved and properly seconded for this item."

On a motion of Councilmember Shealy, seconded by Councilmember Sakran, City Council voted to consider approving the request for a public hearing to close and abandon a portion of Third Avenue. The motion failed 12 to 1.

The vote was not unanimous. Councilmember Sakran voted in favor of the motion.

Mayor Pro Tem Brady said, "The nays have it. The motion fails. Alright. Moving right along, [public hearing number 2](#), and I believe we have Mr. Morgan from the Planning Department."

Mr. Morgan said, "Yes, sir. Let me get the screen going here. Alright. This is public hearing E-2 -- 3, 5, 7, and 9 Cunnington Avenue. It's a request to rezone 1.16 acres. This is, of course, property that the City has acquired. This would take it from the Light Industrial District to the Upper Peninsula (UP) District and also from the 2.5 Story Old City Height District to the 4-12 Old City Height District, which is the companion Height District for the UP District. We'll go through a few slides here. Just to orient you, of course, Meeting Street is just to the west of this. This is in the midst of the cemeteries that are in the Cunnington Avenue area. There's a cemetery to the south of it, a cemetery to the northeast of it as well as then directly across the street to the north across Pershing Street, and then there is an auto repair business to the west, and other businesses along Meeting Street to the west. In our Comprehensive Plan, it is in the Job Center area, and it was Industrial, and that is why it ended up in the Job Center area, but once the City was able to acquire it, and our plans are for affordable housing, it makes sense that this would shift over to the UP zoning. We do have some images that show how it was studied to be part of the UP District when we did all of those studies about five, six, seven years ago, and this is just from the future land use recommendations Job Center, but again now that it would not be Industrial that doesn't really apply, as well. Here is the study from the UP analysis that showed this site as a particular site that could be in the UP District, and here is an aerial image of the property. These houses have been demolished, and it is getting prepared for the affordable housing that will ultimately be built there. Another image of it shows you some of the surrounding cemeteries, street view, some of the houses that are no longer there, and looking towards Meeting Street on Cunnington, and that's the next door auto repair business. This is just a comparison between that Light Industrial, which is 19.6 units an acre, and the UP, which is 26.4, plus. Once you go over four stories, if you earn through the different points in the UP District, you can have more density than that, and that's why it's attractive for affordable housing. Our Planning Commission reviewed and did recommend unanimously its approval to move to the UP District and to the 4-12 Height District."

Mayor Pro Tem Brady said, "Alright. Thank you, Mr. Morgan. Madam Clerk, has anyone signed up to speak on this matter?"

The Clerk said, "Anthony Bryant."

1. Anthony Bryant said he was always in full compliance. He gave a shout-out to Councilmember Robert Mitchell, who was a dear friend of his for many years, for his

efforts in District #4. That district was challenging in the zoning under the Administrative Procedures Act because the mission and vision of the City was not a part of the criteria to determine whether or not an approval, approval with conditions, or denial was not clear to the public. Because the City faced redistricting, which would decimate Councilmember Mitchell's District without the Justice Department doing the map, it had to go to Federal Court which many people in the community could not afford lawyers to defend Councilmember Mitchell's District. He said they supported any effort Councilmember Mitchell put out to District #4.

The Clerk said, "Those were all of the speakers that we have signed up."

Mayor Pro Tem Brady said, "Would anyone else like to come forward and be heard on this matter?"

No one else asked to speak.

Mayor Pro Tem Brady said, "Alright. If not, the matter comes to Council."

Councilmember Seekings said, "So moved."

Councilmember Waring said, "Second."

Mayor Pro Tem Brady said, "It has been moved and properly seconded. Is there any discussion?"

Mayor Pro Tem Brady recognized Councilmember Mitchell.

Councilmember Mitchell said, "Yes. This is in the district I represent. This is in the Upper Peninsula, but what I want to say is if this is approved, it will be approved, but before we start any building, if I'm still here, I want to make sure that I'm particularly involved in this aspect because I have a lot of development going on in the district as it is right now. I want to make sure that I'm involved with anything that's going to happen in that particular area when this happens. So, I just want to put that in the motion and make sure that I'm involved with it because if not, I'm going to come and fight against it, so you know how I go with that. I just want to make sure that we are all at the table and the community is at the table, too, because I know it's a different area in that area but then everything is moving in the Upper Peninsula, moving up north. I know you'll see some buildings going up there now, and I want to make sure that even if we do this, that some affordable housing is going to be in there for people to be able to afford, if we get to that point, if I'm still here. So, I'm just going to put that on the record as of right now."

Mayor Pro Tem Brady said, "Duly noted."

The Clerk said, "And the Mayor also has his hand up."

Mayor Pro Tem Brady recognized Mayor Tecklenburg.

Mayor Tecklenburg said, "So, just wanted to remind Council that this is the site that the City owns that we, in fact, intend to put affordable housing on and also our Hope Center to provide transitional and affordable housing. That's the whole purpose of the site, and when we discussed this at Council a few months ago, I forgot who recommended it, but they said we

ought to try to maximize our density for affordability on the site, and that's what this is all about. Thank you."

Mayor Pro Tem Brady said, "Thank you. Any other Councilmembers wish to be heard?"

No one else asked to speak.

Mayor Pro Tem Brady said, "Alright. If not, I'm going to call the question."

On a motion of Councilmember Seekings, seconded by Councilmember Waring, 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 3, 5, 7 and 9 Cunningham Avenue (Magnolia Cemetery- Peninsula) (approximately 1.16 acres) (TMS #464-14-00-119 and 139) (Council District 4), be rezoned from Light Industrial (LI) classification to Upper Peninsula (UP) classification and from the 2.5 Story Old City Height District classification to the 4-12 Story Old City Height District classification. The property is owned by City of Charleston.*

Mayor Pro Tem Brady said, "[Item 3.](#)"

Mr. Morgan said, "The next two items are going to be adjacent to one another in the Washington Street and Charlotte Street area."

Councilmember Seekings said, "Mr. Mayor Pro Tem, move to take both of those public hearings at the same time."

Mayor Pro Tem Brady said, "Can you repeat that Councilmember?"

Councilmember Seekings said, "Take items 3 and 4 for public hearing together. So moved."

Councilmember Shahid said, "Second."

On a motion of Councilmember Seekings, seconded by Councilmember Shahid, City Council voted unanimously to take items E-3 and E-4 together.

Councilmember Brady said, "Alright. [Items 3 and 4](#) together."

Mr. Morgan said, "Okay, and I'll publish those now. The first one, E-3, is 77 and 75 Washington Street. It's basically a third of an acre. This would be a rezoning from GB to MU/Workforce Housing (MU-2/WH). Then, moving on to E-4, that one, to get the exact address, that is 8 Charlotte Street. It's almost a quarter acre and, again, it's a request from General Business to Mixed-Use/Workforce Housing (MU-2/WH). I'll show some slides that show you where these are. This is just off East Bay Street to the east. The dark color is the Ports area on that eastern side of Washington Street. There has already been a companion rezoning just to the north of this on a current vacant area that has a laydown yard. It is now MU-2/Workforce Housing and has plans going through the BAR process now and, of course, those plans would also apply to these parcels, as well. This is it. These parcels are all in our future City Plan for our City Center recommendation, which would be the most intensive types of uses. They are immediately adjacent to the Port. They are on a main traffic corridor. They are on East Bay Street, so that is why staff has been supportive of these requests and City Center, of course, are

the buildings of greater significance in the City as far as height, scale, mass, those types of things and density. That's what the explanation is from the City Plan here.

Here is an aerial image of the property that does have a historic house on it, and they are working through the process with the BAR on that historic house to potentially relocate it. This is an image with the Port Authority in the foreground and the subject property. There is an older plumbing supply facility that's going to have a new laydown yard next to it that will be the northern boundary of all of this property. Here is just a street view from Washington Street and into the Port, and from Washington Street, and just a comparison from the GB to the MU-2/WH. I'm going to go on to the next one, which is E-5, excuse me, E-4, which is on the corner of East Bay and Charlotte, and that's 8 Charlotte Street. Again, similar images here that show the Comp Plan, and the same recommendations from the Comp Plan, and aerial images currently. This site is occupied with a drive-through teller, and there you see the sites side-by-side that are up for rezoning, and a street view, and comparison. So, Planning Commission recommended for both of these unanimously to be rezoned to the MU-2/WH."

Mayor Pro Tem Brady said, "Alright. Thank you, Mr. Morgan. Madam Clerk, has anyone signed up for this matter?"

The Clerk said, "Anthony Bryant."

1. Anthony Bryant said in 2010 he filed a public complaint to the EPA regarding the Port Authority's lack of transparency in terms of public hearings at their meetings that are published. The zoning in 2010 was connected to the MOU that was done in North Charleston, and in 2007, he made public comment at Randolph Hall at the College of Charleston regarding a study of local governments. Mayor Summey and Mayor Riley were in attendance. Councilmember Gregorie spoke at the meeting, as well, in terms of the Port Authority and its impact on the area. The Ports Authority had a public comment that he missed regarding the area and their rezoning through DHEC. He said they hoped that DHEC put out or reintroduced the public hearing again so they could get the City's response in terms of what the City was doing in terms of the issue.

The Clerk said, "Time."

Mayor Pro Tem Brady said, "Thank you, sir."

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

Mayor Pro Tem Brady said, "Would anyone else like to come forward and be heard on items 3 and 4 on the public hearing agenda? Yes, sir."

2. Michael B. Lesser said the City got \$9 million a year out of their backyard, and they might be better off just having fishing in there than all of the oil runoff. The City's Parks system was messed up. He said he was kicked him out of the Martin Luther King pool and he was an American with a disability. He was going to bring legislation against some municipal ordinances. He said he would be calling the FBI on the City because the City kept telling the police to come talk to him when he was reading the Bible as a Holocaust 2<sup>nd</sup> generation survivor. The supremacy clause said that when the Supreme Court ruled on it, it became the law of the land and the City would not get matching highway funds. He said he went to UC Berkeley and his last name was

on King Street. The City would be the ones telling the police to violate the Constitution by doing those municipal ordinances.

The Clerk said, "Time."

Mayor Pro Tem Brady said, "Thank you, sir. Would anyone else like to come forward and be heard on this matter?"

No one else asked to speak.

Mayor Pro Tem Brady said, "If not, the matter comes to Council."

Councilmember Mitchell said, "Mr. Chairman."

Councilmember Seekings said, "So moved."

Councilmember Waring said, "Second."

Mayor Pro Tem Brady said, "Alright. It has been moved and properly seconded."

Mayor Pro Tem Brady recognized Councilmember Mitchell.

Councilmember Mitchell said, "Yes, both of these items are in the district I represent, too. Well, you will find most of the developments that are happening on the Peninsula are in the district I represent. So, even with the housing part, I'll be getting with the developers who are going to be developing the property. I spoke with them on a previous occasion trying to get them to even put some housing that's going to be in 60% of the median income, which is very hard because of what's going on now, to get the cost of the property and the cost of materials, but we need to have some of those 60% apartments in there also so people still can be able to afford to live on this Peninsula. You see, I'm taking this very, very seriously in having apartments affordable for the people who are working on this Peninsula and working in these hospitality places and places like that, and even some of the people who were living here cannot live here anymore that can come back to some of this again. I know it's not going to be the same, but when we're doing housing, we have to try to do as much as possible for everyone. This is why I'll be talking with both of the developers and pushing that very, very much, so you will see me coming back with that. So, I have spoken with them before they started and had them talk to the neighborhood association, which they're not in the neighborhood association of Mazyck-Wraggborough, but they're across the street, so they have mentioned it to them. So, they voted on it, and they are satisfied to the point that they know what's going to be happening there, so I told them the same thing, too, that I'm pushing to see if they get some housing apartments there that are going to be 60% of the median income because everything they're talking about is 80% to 150% of the median income, and we cannot afford those things here on this Peninsula anymore. So, we've got to do some better things in zoning and everything else, too. Thank you."

Mayor Pro Tem Brady said, "Would any other Councilmembers like to be heard on this matter?"

Mayor Pro Tem Brady recognized Councilmember Parker.

Councilmember Parker said, "Thank you, Mayor Pro Tem. Councilmember Mitchell, or I'm sorry, Mr. Morgan, Mixed-Use/Workforce Housing, so is this where they're going to develop

the property, and we get specific units or can you clarify that? So, can you give me an example of what they're looking to do with the property? If they build X amount of units, we get so many affordable units out of it?"

Councilmember Mitchell said, "No, this is privately owned, and we are working with them. I was working with the developers who are developing it, and I spoke with him and told him what I am looking for and they were going to try and do, they're still going to try to do it, so I don't know if they have come up with a conclusion of what they're going to build yet. Ms. Johnson, they haven't come up with exactly what--"

The Clerk said, "Councilmember Mitchell, can you talk into the mic?"

Councilmember Mitchell said, "Yes. I don't think they have come up with exactly what they're going to build, and if they're going to do anything 60% to median income yet on Washington Street."

Geona Shaw Johnson said, "Not yet."

Councilmember Mitchell said, "Not yet. Well, I've spoken with them, and I had them at the neighborhood meeting at Mazyck-Wraggborough, so I don't know what they're going to do quite yet, but they'll be getting back with me, and I'll be talking with them and seeing if they can try to put a few units there, but they don't really have to, if you may, so that's one thing I have to try to push, and I try to push all developers in doing that, and they normally come and give me a few. So, it's something that, you know, we don't have any authority over, if you may, in the zoning process, but 75 Calhoun, and 77 Washington Street, and 75 Washington Street, anyone who lives in the City of Charleston, grew up in the City of Charleston, would know what 75 and 77 Washington Street was way back when. There's a lot of history back there on that street, on Washington Street, so this is what I'm kind of pushing with the developers."

Mayor Pro Tem Brady recognized Councilmember Parker.

Councilmember Parker said, "Yes. Thank you, again. Mr. Morgan, can you just clarify for me?"

Mr. Morgan said, "Yes, ma'am, and your question was?"

Councilmember Parker said, "Just the amount of units that the Mixed-Use/Workforce Housing (MU-2/WH) classification would then allow on the property? How many units?"

Mr. Morgan said, "Typically, it would require 20% of units to be affordable units."

Councilmember Parker said, "Okay. Thank you."

Mr. Morgan said, "And we have heard the developer--we can't make them commit through the rezoning process to a certain number of units, but they have said that they want to have at least 10% of their units as affordable and then the others would be fee-in-lieu, which has been substantially upgraded, too."

Councilmember Mitchell said, "Mr. Chairman, that's what I was alluding to, that they told me that they were going to put some units there that are going to be 60%, and then they will do a mixture with the fee-in-lieu because I was trying to get the units in there instead of the fee-in-

lieu, but this is what they said they might do, so I'm just holding them to that what they said to me, and I'll get back with them on that."

Mayor Pro Tem Brady recognized Councilmember Appel.

Councilmember Appel said, "Yes. So, as Christopher alluded to, you know, zoning doesn't come with any strings attached other than what's in the Zoning Code, so we're not approving a specific development tonight. We are just giving, you know, I believe, first reading to this MU-2/WH rezoning, which provides a whole lot of options to a developer to do a lot of different things. I mean, they could just pay the fee out and go 100% market rate in there if they want. The property could change hands the day after we rezone it, and it will be worth a whole lot more money after we rezone it to MU-2/WH. So, the only way we're going to know what we're getting is if there's, you know, there's a lot of different ways you can do it. You can do it through PUDs, you can do it through, I don't think this property's large enough for a development agreement, it's nowhere close, but that's the problem with rezoning. It's a bit of a hope and a prayer and relying on good people that you're dealing with to honor those commitments that Councilmember Mitchell said. I mean, there's not a whole lot of other options that we have, but I just wanted to clarify that maybe and just real briefly, Councilwoman, this zoning scheme essentially provides two options. I mean, you can either do the Workforce Housing on site or you can pay the fee. We recently increased the fee, but I think the vast majority of developers have chosen just to pay the fee and forego actually building the housing, but, of course, that's a big part of what funds Ms. Johnson's department, and they do a tremendous amount of work leveraging those resources, so just a little background on this. Thank you."

Mayor Pro Tem Brady recognized Councilmember Mitchell.

Councilmember Mitchell said, "What I'm trying to do is when I spoke with them we are working on something that they might do half and half, if you may, pay a fee on some and then do some affordable housing on the other part. So, if we get that done, that's the best that I can probably get from them."

Mayor Pro Tem Brady said, "Is there anyone else who has not spoken and wishes to speak on this matter from Council?"

No one else asked to speak.

Mayor Pro Tem Brady said, "If not, I'd like to call the question."

On a motion of Councilmember Seekings, seconded by Councilmember Waring, 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 77 and 75 Washington Street (Ports Area - Peninsula) (approximately 0.35 acres) (TMS #459-13-02-004 and 005) (Council District 4), be rezoned from General Business (GB) classification to Mixed-Use/Workforce Housing (MU-2/WH) classification. The property is owned by Washington Partners LLC.*

*An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 8 Charlotte Street (Ports Area - Peninsula) (approximately 0.22 acre) (TMS #459-13-02-009) (Council District 4), be rezoned from*

*General Business (GB) classification to Mixed-Use/Workforce Housing (MU-2/WH) classification. The property is owned by Historic Charleston Developments LLC.*

Mayor Pro Tem Brady said, "[Item 5.](#)"

Mr. Morgan said, "Okay. This is in the Neck area of the City. It's at 2003 Herbert Street. It's about a quarter of an acre. It's a request to go from General Business to Business Park, and you can see the property here. Our future public service yard is just to the kind of northeast of this off of Herbert Street. This is a vacant parcel that is nearby and has been General Business for a good while. It is in the recommendation in the Comp Plan for Industrial so the request to go to Business Park is in line with that. That's what this is saying about the Industrial recommendation. It's a vacant property at present. Here are some other images of it from different angles, and you see our future public service yard and the relationship of this property to that, and the property from the street view, and just the differences between the GB at present and Business Park, which will require proper screening and things like that, so it should be an attractive Industrial type of use. The Planning Commission did recommend unanimous approval on this."

Mayor Pro Tem Brady said, "Alright. Madam Clerk, do we have anyone signed up to speak on this matter?"

The Clerk said, "Anthony Bryant."

Mayor Pro Tem Brady said, "And I'd remind those folks speaking on the public hearing matters that the comments need to be germane to the item that is up for consideration. Regular public comment will take place here in a little bit. Mr. Bryant."

1. Anthony Bryant said Administrative Procedures Act South Carolina Title 1 notice procedure effective date and judicial review. He said they hoped that the votes Council made were in compliance with the mission and vision statements posted online and in the third reading the public was giving notice in terms of the time limit to file a complaint to an appropriate State or Federal agency and/or a court.

Mayor Pro Tem Brady said, "Thank you, sir."

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

Mayor Pro Tem Brady said, "Would anyone else in attendance like to come forward and be heard on the matter for item 5?"

No one else asked to speak.

Mayor Pro Tem Brady said, "Alright. If not, the matter comes to Council."

Councilmember Shealy said, "Move for approval."

Councilmember Mitchell said, "Second."

Mayor Pro Tem Brady said, "Alright. It's been moved and properly seconded for item number 5 on public hearings. Any discussion?"

No one asked to speak.

Mayor Pro Tem Brady said, "Alright."

On a motion of Councilmember Shealy, 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 2003 Herbert Street (Four Mile/Hibernian Heights - Peninsula) (approximately 0.26 acre) (TMS #464-02-00-046) (Council District 4), be rezoned from General Business (GB) classification to Business Park (BP) classification. The property is owned by Herbert Street LLC.*

Mayor Pro Tem Brady said, "[Item 6.](#)"

Mr. Morgan said, "This is a parcel in the Cainhoy area just off of Clements Ferry Road near Jack Primus. It is a portion of TMS# 268-00-00-133. It's approximately 105 acres of which many of the acres are wetland area. The request is to go from Light Industrial to Single-Family Residential (SR-2). To orient you all to the site, Jack Primus Road is on the northeastern corner, the dot. The end of the property barely touches on Jack Primus but will not actually have access there because of wetland issues. The old Mikasa, now the Gildan facility, is at the corner of Jack Primus and Clements Ferry Road. The Charleston Regional Business Park is to the southwest of the property. We have some other images that will give you a sense of this area. This area was an area that was changed in the new Comprehensive Plan. The areas along Clements Ferry were recommended for greater intensity, but the area in the middle here that this comprises had a lot of wetland area, so it was recommended, of course, that the wetlands would remain and that the non-wetland area would be Suburban in nature, and that is in line with the request we are seeing here. Let me get to my correct page here. So, yes, it was Suburban and Natural or Wetland in the Comprehensive Plan, so this request is in line with that. I'll show you a few more images to give you a good sense of the character of the property. It is, again, Suburban and Natural Wetland. You can see here the wooded nature of it and then the different striations of the colors with the green that show where some of the wetlands are. We also have some images that show wetland coverage. Again, here you see the Gildan facility to the northeast. This is a plat of the property. They will have access from Clements Ferry Road across some other commercial properties at the front, and they will not have access out on Jack Primus because of wetland coverages. This image may be a little bit hard for you all to see, but you can see the kind of trailing wetlands that weave through the property that make it extremely difficult to use for industrial purposes. There also are other uses coming in the near future in this area. We are currently reviewing an apartment complex that would front on Clements Ferry Road in front of the property. There would be other commercial development as well as the access for this property coming out to Clements Ferry just to give you a sense of what's going on in the surrounding area. Just a zoning comparison, right now, they are allowed 19 units an acre under Light Industrial, but they do have to build to an industrial standard. Under the SR-2, it's down to 7.3 units an acre. That is in line with the Comprehensive Plan, and Planning Commission did recommend unanimously for approval of this rezoning."

Mayor Pro Tem Brady said, "Alright. Thank you, Mr. Morgan. Madam Clerk, do we have anyone signed up to speak on this matter?"

The Clerk said, "Anthony Bryant."

1. Anthony Bryant said Administrative Procedures Act South Carolina Title 1 notice

procedure effective date judicial review. He didn't live in Berkeley County. He got a letter from the South Carolina Law Enforcement Division and that the 9<sup>th</sup> Judicial Circuit 20 years ago was publicly corrupt and that was a fact in dealing with land use issues. Google did well waters, ground water, in that area so the ground water was being tapped big time in that area. He said they hoped that the massive developments the City had in Berkeley County would not usurp the water and ground water in that area. DHEC got a complaint from him years ago regarding Google and the amount of water they took and the impacts it may have on existing residents who had been there for years who had a problem with their water down the road.

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

Mayor Pro Tem Brady said, "Would anyone else like to come forward and be heard on this matter? Yes, sir."

2. Todd Richardson, the applicant, said he would be happy to answer any questions and respectfully requested the rezoning. He was involved several years ago with the parcel just to the west, which was the other Mikasa parcel separated by the Carolina Bay wetland, which was an approved concept plan. It was then converted back to Light Industrial for Dominion to have laydown and utility space. He said that was with the overall partnership that owned the parcels to be subdivided, so the thought was to come in with something with less of a density that was there. Some questions came up about the ability to develop a lot of units there. The majority of the parcel was wetlands. There was no plan to fill any wetlands on it. It was nestled somewhat, so it was inappropriate for industrial development which would have basically filled all of the wetlands. Their goal was to follow and comply with TRC, City, Stormwater, and Dutch Dialogue standards to come in with a median density neighborhood. They had a total traffic study which just came in---

Mayor Pro Tem Brady said, "Thank you. Alright. Does anyone else want to be heard on this matter?"

No one else asked to speak.

Mayor Pro Tem Brady said, "If not, the matter comes to Council."

Councilmember Waring said, "I think a gentleman is coming."

Mayor Pro Tem Brady said, "Yes. Go ahead."

3. Fred Lincoln said they did not go before the Planning Commission because he didn't know if the sign was taken up, and he only learned about the Council meeting early that morning because he didn't think the sign was placed until yesterday. He said their concern was there was no coordination between Berkeley County and the City of Charleston. He said upper Hwy. 41 was being inundated with development from 800 homes on a development to the total they had right now of 3,300.

The Clerk said, "Time."

Mayor Pro Tem Brady said, "Thank you, sir."

Councilmember Waring said, "Mr. Chair?"

Mayor Pro Tem Brady recognized Councilmember Waring.

Councilmember Waring said, "I'd like to ask Council to allow Mr. Lincoln a little bit more time. In particular, if proper notices were put down and if people couldn't respond to the public hearing that was held at the Planning Commission and now at City Council, if the Council would allow."

Mayor Pro Tem Brady said, "Is there an objection for 30 more seconds from Council? Without objection?"

Councilmember Waring said, "Can we ask for another minute? I mean, for those who are new to Council, Mr. Lincoln has been a stalwart leader out there. As a matter of fact, when the Port wanted to put the global gateway at the tip of Daniel Island, Mr. Gregg, it was grassroots efforts by Mr. Lincoln and grassroots people out there, Ms. Maere Skinner, and others who, quite frankly, if it weren't for the grassroots efforts, the State Ports Authority would be right on the tip of Daniel Island right now. So, I know he's new to you all, but I can't tell you but for his community activism, now not just him, I mean others as well, but he's certainly a stakeholder out there and very much a leader in what we've seen has taken place on Daniel Island, and the Cainhoy Peninsula would not be done the way it's been unfolding."

Mayor Pro Tem Brady said, "Is there an objection for an additional minute?"

Councilmember Shahid said, "No objection."

Mayor Pro Tem Brady said, "Alright. Without objection, so ordered. Go ahead."

Mr. Lincoln continued by thanking the Council. He said what they saw in their area was being inundated with Residential and they were concerned that, in the future, they wouldn't have any property for Commercial. Commercial benefited their community. Gildan was down the street, and they had folks able to walk and ride bicycles to work. He said over 9,000 acres were being developed over 95% Residential, so their folks going to work and having to leave the community was a hardship on them with the price of fuel. For the future of their community, they saw overdevelopment in Residential property. The whole area was zoned Commercial and left in place for future development."

The Clerk said, "Time."

Mayor Pro Tem Brady said, "Thank you, sir. Would anyone else like to be heard on this matter?"

No one else asked to speak.

Mayor Pro Tem Brady said, "Alright. If not, the matter comes to Council."

Mayor Pro Tem Brady recognized Councilmember Gregg.

Councilmember Gregg said, "Thank you for your comments on Mr. Lincoln. He's a legend on the Cainhoy Peninsula. I'd like to reiterate Mr. Lincoln's comments that there is very little coordination right now between Berkeley County and the City. It actually may surprise all of

you, but there is no Parks or Recreation Plan for the Upper Cainhoy Peninsula. We have no property up there for parks and recreation for these 9,000 housing units that are potentially coming up there. So, if we are going to approve this, I think the City needs to step up and provide the necessary infrastructure for those areas. I do have a question about the traffic counts and what the plans are and also I had a question on how they were going to access Clements Ferry Road because it looked like, from your presentation, that was going to be potentially shared curb cut on Clements Ferry.”

Mr. Morgan said, “Yes, sir. So, as far as the access, so I’ll go up here. So, the development will be up in this area here. Is that about 600 ft. or 700 ft. or something?”

Mr. Richardson said, “That sounds about right, and there is an access easement that will come through. The front parcel is Commercial Mixed-Use.”

Mr. Morgan said, “So, this would remain in the Light Industrial, which also allows Commercial zoning down here, but there would be shared access through here with a joint access roadway, correct, Mr. Richardson?”

Mr. Richardson said, “Yes, it’s coming to the left of about where the site is. I think that’s where the easement is going to be agreed upon. Yes.”

Mr. Morgan said, “And there is, I failed to also point out, there is a new industrial building coming here in the Charleston Regional Parkway right at the corner of Charleston Regional Parkway and Clements Ferry and, as Mr. Richardson noted, the Dominion facility that’s going to be a laydown yard and facility that a number of their folks work at for regular maintenance of their facilities will be back in this area up against the Jack Primus Road area but not connecting to it.”

Councilmember Gregg said, “So, for clarity, this proposed concept plan for the Mikasa Apartments and then this new development which is, I think it’s 107 housing units---.”

Mr. Richardson said, “Roughly is what the yield is.”

Councilmember Gregg continued, “They would share the curb cut on the Clements Ferry Road?”

Mr. Richardson said, “There is an easement that’s going to be going through the front parcel that will lead to Clements Ferry. There will be no connection to Jack Primus. That will be a shared access, but it will be a dedicated access for the rear parcel to access Clements Ferry.”

Councilmember Gregg said, “And will you have to put a, have you done the traffic counts yet?”

Mr. Richardson said, “The traffic study has been completed. It’s been submitted to the City of Charleston and SCDOT. The recommendations are for the eastbound lane, which would be going from Plan left to Plan right, that will be a left turn lane which is already in a planned median with 200 ft. of storage and 200 ft. of bay taper. Also on the westbound lane, which is Plan right to Plan left, we will have a right turn deceleration lane with 200 ft. of storage and a 200 ft. taper bay.”

Councilmember Gregg said, "So, how will people turn, I guess, from going east turning left out of your property?"

Mr. Richardson said, "Left out of the property will go into the median. There will be a joint intersection median with a turn lane in the middle to then access to the two lanes that are currently being constructed right now going eastbound."

Councilmember Gregg said, "Okay, and no stoplight?"

Mr. Richardson said, "The stoplight is at Jack Primus. As you know, it's existing, but this is far enough away where that is not warranted."

Councilmember Gregg said, "Okay. Any change in the speed limit there? Because that's a 55 mph section."

Mr. Richardson said, "I do not know. From what I have read in the traffic study, there is not a recommended speed change. If that were to occur, it would actually not occur from the development or from the City of Charleston. It would occur from SCDOT."

Councilmember Gregg said, "Okay. I didn't know if they had recommended a speed limit change there."

Mr. Richardson said, "Yes, I think the biggest part is the decel and also the access of a wide turning lane in the median itself to help alleviate that. Also with the two lanes it is considered that most traffic will be going in the left lane going westbound as people are approaching that intersection."

Councilmember Gregg said, "Okay. Thank you."

Councilmember Waring said, "Mr. Chairman."

Mayor Pro Tem Brady recognized Councilmember Waring.

Councilmember Waring said, "Thank you. Mr. Chairman, I'd like to move for deferral on this one."

Councilmember Gregorie said, "Second."

Councilmember Waring said, "Just some of the questions that Mr. Gregg came up with, a lot of information, the traffic study, obviously, community input, a ton of information on this one that's just really, we shouldn't be making sausage on the floor of Council because I'd like to get more information on it, frankly. It's been moved and seconded."

Mayor Pro Tem Brady said, "It has been moved and properly seconded for a motion for deferral which takes precedence. Is there any discussion on the motion to defer?"

Mayor Pro Tem Brady recognized Councilmember Shahid.

Councilmember Shahid said, "I just wanted to chime into what Councilmember Gregg is talking about on the infrastructure because I know the issues that we're having over there now, particularly with fire stations and building fire stations over there and servicing the area. We just

did an MOU that we finally included Mt. Pleasant to take part covering some of this area, as well, so I know there are concerns about this property coming online. Mr. Morgan, if by deferring, not deferring this, as the property stands right now, Light Industrial, what is allowed on that property for development now?"

Mr. Morgan said, "It allows, you know, Industrial uses, Commercial uses, you can do Residential to 19 units an acre. It's actually denser for Residential, but you do have to build to an Industrial fire code standard, so that makes it problematic."

Councilmember Shahid said, "And does it also reduce the number of units, as well?"

Mr. Morgan said, "I'm sorry?"

Councilmember Shahid said, "It also reduces the number of units allowed from a Single-Family residence to Light Industrial?"

Mr. Morgan said, "No, Light Industrial is 19.4 units an acre, the Single-Family would be 7.3 units an acre, so it's actually a reduction in density to go through with the rezoning."

Mayor Pro Tem Brady said, "Alright. Anyone else wish to be heard on the motion to defer?"

No one else asked to speak.

Mayor Pro Tem Brady said, "Alright. If not, I'm going to call the question."

On a motion of Councilmember Waring, seconded by Councilmember Gregorie, City Council voted unanimously to defer 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 Clements Ferry Road (Jack Primus - Cainhoy Peninsula) (approximately 105.11 acres) (a portion of TMS# 268-00-00-133) (Council District 1), be rezoned from Light Industrial (LI) classification to Single-Family Residential (SR-2) classification. The property is owned by McAlister Togratt Clements LLC etal. (DEFERRED)*

Mayor Pro Tem Brady said, "[Item 7.](#)"

Councilmember Seekings said, "[Move to take 7 and 8 together](#) for public hearing."

Councilmember Shealy said, "Second."

Mayor Pro Tem Brady said, "It has been moved and properly seconded to take 7 and 8 together."

On a motion of Councilmember Seekings, seconded by Councilmember Shealy, City Council voted unanimously to take items 7 and 8 together.

Mayor Pro Tem Brady said, "Mr. Morgan."

Mr. Morgan said, "Okay, and these are two very minor corrections in our Zoning Ordinance."

We discovered in our Zoning Chart that they were missing in the E-7 item that there were a couple of missing density comparisons in the SR Districts. That's what E-7 is. Literally, it's just adding a few numbers that should be on our chart that were not there. It doesn't change anything about the way the ordinance is regulated. Then, in E-8, it is clarification that in the Residential Office District, which was not intended to be an area that has Residential uses in it, that there was an error on one of the charts that would have shown, would have potentially allowed Multi-Family uses in Residential Office, and this is correcting that to not allow those."

Mayor Pro Tem Brady said, "Alright. Has anyone signed up to speak on this matter?"

The Clerk said, "Anthony Bryant."

1. Anthony Bryant said notice needed to be provided to the public. The procedures took place. A gentleman came and had a deferral, but Council didn't state the regional partnership as part of their mission online. The regional partnership between Berkeley County and the City of Charleston, as stated on the record, was lacking and didn't exist, but the Public Service Commission of South Carolina took public comments regarding Dominion Energy and rate increases they had because of fuel costs. He made public comment on that recently, so the City needed to be in compliance with their regional partnership mission on all of the City's issues, in particular, all of the areas within the Zoning Ordinance.

Mayor Pro Tem Brady said, "Thank you, sir."

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

Mayor Pro Tem Brady said, "Would anyone else like to be heard on items 7 and 8?"

No one else asked to speak.

Mayor Pro Tem Brady said, "Alright. If not, it comes to Council."

Councilmember Shahid said, "Move for approval."

Councilmember Appel said, "Second."

Mayor Pro Tem Brady said, "It has been moved and properly seconded. Is there any further discussion?"

No one asked to speak.

Mayor Pro Tem Brady said, "If not, I'll call the question."

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

*An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Article 2 (Land Use Regulations), Part 3 (Table of Permitted Uses) to correct a scrivener's error by deleting Multi-Family dwelling as a special exception use for Residential Office – RO District.*

*An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Article 2 (Land Use Regulations), Part 1 (Base Zoning Districts) to correct a scrivener's error by inserting missing information.*

Mayor Pro Tem Brady said, "[Item 9.](#)"

Mr. Morgan said, "These are several properties along Ashley River Road and Adele Street in West Ashley, 1890 and 1886 Ashley River Road and 1407 Adele Street. It's approximately a third of an acre, and this is property that's owned by the Charleston Redevelopment Corporation, who is interested in having affordable housing here as well as their new office. The surrounding area is a real mix. You have retail on the western side of Ashley River Road, just to the southeast of this on the same side of the street is a large fuel station, then there is a residence to the northwest of them, and residences along Adele Street, but this is an area that is in our Comprehensive Plan recommended for Suburban-type development and, typically, you do have densities like you would see in the CT District which is what is requested here. It would come in from the County as R-4 to the CT District, and that is still in line with a lot of Suburban areas along key corridors like this. The site is very compromised from just a pure Single-Family Residential standpoint because of the gas station to the southeast. I'll show you some images of it here. Again, those are future land use recommendations. The property is vacant. You do have the gas station that's shown there on the left, retail on the right. Here is another view of Ashley River Road. There is a Single-Family house to the north of it. The Planning Commission did review this and felt comfortable with it and recommended unanimously for the rezoning to CT or for the zoning to CT."

Mayor Pro Tem Brady said, "Alright. Madam Clerk, has anyone signed up to speak on this matter?"

The Clerk said, "Anthony Bryant."

Mayor Pro Tem Brady said, "You're passing?"

Mr. Bryant said, "Yes."

Mayor Pro Tem Brady said, "Okay. Would anyone else like to be heard on this?"

No one asked to speak.

Mayor Pro Tem Brady said, "If not, the matter comes to Council."

Councilmember Shealy said, "Move for approval."

Councilmember Mitchell said, "Second."

Mayor Pro Tem Brady said, "It has been moved and properly seconded for item 9. Any discussion?"

Mayor Pro Tem Brady recognized Councilmember Waring.

Councilmember Waring said, "Ms. Johnson, could you come up? I'm going to support the item, but could you come up and kind of share a little vision on what is envisioned potentially for this site?"

Ms. Geona Shaw Johnson said, “Yes, sir. Good afternoon, Councilmembers. The goal here is, as Christopher reported to you all, to build workforce housing/affordable housing at this site, rental, as well as to support office space for the Charleston Redevelopment Corporation. If you all recall, this organization is one that was created by the City of Charleston in cooperation with Historic Charleston Foundation and the Housing Authority. They also manage the program called the Palmetto Community Land Trust such that when properties are transferred into the trust, they are affordable for perpetuity, so a good measure here that shows sustainability and the ability to leverage funds well. So, we thank you for your support.”

Councilmember Waring said, “Mr. Chairman, obviously, Council is going to support that. I thank you for your support on this one and this is something, Councilmember Ross, when we talked about infill small projects, we ought to make it easier with some of the bureaucracy. A lot of the affordability for non-profits as well as affordable rentals and ownership in West Ashley and James Island, to a lesser degree Johns Island, will come in the form of infill. These little pockets that have yet to be developed, but if they have to come in and undergo some of the same stringent requirements as a normal subdivision, it drives up their costs unnecessarily which raises the costs of doing and running down these, what, 16,000 some odd units of affordable housing that, prayerfully, one day we will achieve. But, anyway, thank you, Ms. Johnson, for your work, and this one has good vision. Thank you for your support.”

Mayor Pro Tem Brady said, “Alright. Would anyone else like to be heard on this?”

No one else asked to speak.

Mayor Pro Tem Brady said, “If not, I’m going to call the question.”

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

*An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 1890 and 1886 Ashley River Road and 1407 Adele Street (Ancrum Hill – West Ashley) (approximately 0.35 acre) (TMS #351-07-00-027, 028 and 048) (Council District 7), annexed into the City of Charleston April 26, 2022 (#2022-061), be zoned Commercial Transitional (CT) classification. The property is owned by Charleston Redevelopment Corporation.*

Mayor Pro Tem Brady said, [“Item 10.”](#)

Mr. Morgan said, “This is a newly annexed property at 2931 Maybank Highway. It’s six-tenths of an acre. It was in the County’s Maybank Highway Corridor Overlay as Limited Commercial. It would come into the City as Commercial Transitional. It is in our Comprehensive Plan as Neighborhood Edge, which CT fits right into. The current use of the property is a residential structure that is going to become an office on the site and be re-used. Again, it will meet all of the City and County standards for buffering and future uses along Maybank Highway. Just some images here of the site, and the Planning Commission recommended unanimously for the CT District.”

Mayor Pro Tem Brady said, “Alright. Madam Clerk, has anyone signed up to be heard on this matter?”

The Clerk said, "Anthony Bryant."

Mayor Pro Tem Brady said, "He may have gone."

The Clerk said, "And no one else signed up to speak on it."

Mayor Pro Tem Brady said, "Okay. Would anyone else present like to speak on this matter?"

No one asked to speak.

Mayor Pro Tem Brady said, "If not, the matter comes to Council."

Councilmember Mitchell said, "Move for approval."

Councilmember Waring said, "Second."

Mayor Pro Tem Brady said, "It has been moved and properly seconded. Any discussion?"

No one asked to speak.

On a motion of Councilmember Mitchell, seconded by Councilmember Waring, 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 2931 Maybank Highway (Johns Island) (approximately 0.61 acre) (TMS #313-00-00-092) (Council District 5), annexed into the City of Charleston April 26, 2022 (#2022-064), be zoned Commercial Transitional (CT) classification. The property is owned by HCC Holdings, LLC.*

Councilmember Seekings said, "[Move to take 11 and 12 together](#). They're both SR-1 rezonings."

Councilmember Sakran said, "Second."

Mayor Pro Tem Brady said, "Alright. It's been moved and properly seconded to take items 11 and 12 together. Any discussion on that?"

No one asked to speak.

On a motion of Councilmember Seekings, seconded by Councilmember Sakran, City Council voted unanimously to take items 11 and 12 together.

Mayor Pro Tem Brady said, "Alright. [11 and 12](#), Mr. Morgan."

Mr. Morgan said, "E-11 is 2153 Westrivers Road in Riverland Terrace. It's a quarter acre. It was R-4 in Charleston County and would come in the City as SR-1. Then the other item, E-12, is 2158, let me go to that slide, 2158 and 2154 Westrivers Road. That is approximately half an acre, and that would go from the R-4 in Charleston County to Single-Family Residential (SR-1), and the Planning Commission recommended unanimously for both of these."

Mayor Pro Tem Brady said, "Alright. Madam Clerk, has anyone signed up to be heard on this matter."

The Clerk said, "Anthony Bryant."

Mr. Bryant said, "Pass."

Mayor Pro Tem Brady said, "Pass? Alright. Is anyone else present wishing to speak on items 11 and 12?"

No one asked to speak.

Mayor Pro Tem Brady said, "If not, the matter comes to Council?"

Councilmember Shealy said, "Move for approval."

Councilmember Appel said, "Second."

Mayor Pro Tem Brady said, "It has been moved and properly seconded for items 11 and 12. Is there any discussion?"

No one asked to speak.

On a motion of Councilmember Shealy, seconded by Councilmember Appel, 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 2153 Westdrivers Road (Riverland Terrace-James Island) (approximately 0.24 acre) (TMS #343-06-00-209) (Council District 11), annexed into the City of Charleston April 26, 2022 (#2022-063), be zoned Single-family Residential (SR-1) classification. The property is owned by Nicholas and Martha Kliossis.*

*An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 2158 and 2154 Westdrivers Road (Riverland Terrace- James Island) (approximately 0.48 acre) (TMS #343-01-00-115 and 136) (Council District 11), annexed into the City of Charleston April 26, 2022 (#2022-062), be zoned Single-Family Residential (SR-1) classification. The property is owned by Ryan and Lauren Fogelgren.*

Councilmember Mitchell said, "Move for approval the [minutes for May 10<sup>th</sup>](#)."

Councilmember Seekings said, "Second."

Mayor Pro Tem Brady said, "It has been moved and properly seconded to adopt the May 10<sup>th</sup> City Council minutes. Are there any additions, deletions? Any discussion?"

No one asked to speak.

On a motion of Councilmember Mitchell, seconded by Councilmember Seekings, City Council voted unanimously to approve the minutes for the May 10, 2022 City Council meeting.

Mayor Pro Tem Brady said, "We will now move to our [Citizens Participation Period](#). Madam Clerk, how many folks do we have signed up?"

The Clerk said, "We have 13 people signed up to speak."

Mayor Pro Tem Brady said, "Okay. Let's go 90 seconds."

The Clerk said, "Alright. Anthony Bryant."

1. Anthony Bryant said he didn't drive for Uber or Lyft, and he was not an Airbnb, but what happened with the FBI and SLED, 13 years ago he received a letter on a complaint he filed with the Department of Justice under the OVW Programs, Community Oriented Policing. Someone was wrongfully convicted of a crime they didn't commit. He said they could have gotten the death penalty. A Charleston County resident was wrongfully accused of the most serious offense. Black men had been wrongfully accused. What happened in Buffalo was horrible because the 2<sup>nd</sup> Amendment was never designed for what it was designed for. It was designed to protect farmland in rural communities, not giving a hand to misguided, disgruntled youth with no hope in their lives. Council was in the causation business, education, public health. Worrying about the causation of the problem was what leaders did. The great leaders always focused on causation and never got discouraged by harm.

The Clerk said, "Time. Mohammed Idris."

Mayor Pro Tem Brady said, "And just while he is coming up, just to remind everyone, you are addressing Council as a body. Please refrain from making any direct comments to a Councilmember."

2. Mohammed Idris said they, the poor, were not represented on Council. He said they didn't get together and send any individual to sit on Council. Rich people put all of the Councilmembers on City Council. He said they didn't have a representative. He didn't care how Black they were or how White they were, the poor were not represented. The people on the Battery controlled City Council. The rich and powerful controlled the City of Charleston when they could build a multi-million dollar wall down to the Battery to stop the water and help people in the neighborhood. He asked if they had a solution to help the poverty or the housing problem. He said their Councilmembers hadn't come up with that yet as they were always coming up with the workforce housing/affordable housing. He asked who it was affordable for. Was it affordable to Warren Buffet? It sure wasn't affordable to the poor, but they had a solution to the housing problem. PRIDE, People Ready to Improve and Develop the Environment.

The Clerk said, "Michael Lesser."

No one asked to speak.

The Clerk said, "Zac Viscidi."

3. Zac Viscidi said, in addition to being a local teacher, he had worked as a pedicab driver for the past five years. Last June, City Council decided to expand its pedicab program offering additional night tags and, in collaboration with a few other members

of the industry, they decided to start their own enterprise. Based on their complaints, that initial bidding in November was canceled. There were serious issues regarding fairness and the inability for a new venture to realistically qualify, but today that inequity had been addressed as the law was altered by Council in part based on their complaints. However, more than five months after the canceled RFP, the bid had not been put out and the auction had yet to occur. He asked Council to remove the red tape and live up to its promises of supporting and encouraging enterprise. Set a timeline and provide entrepreneurs reasonable accommodations allowing them to compete. He and his co-owners were fired for their ambition and, even more onerous, a family member of their ownership team was fired and blackballed from the industry because of her father's involvement with their venture. He asked Council to simply live up to their promises and follow out on the path they set as their actions and decisions had large impacts that affected the livelihoods of the individuals who called Charleston home.

The Clerk said, "Mark Gould."

4. Mark Gould said he was there to talk about Gadsden Creek along with the backing of a number of other members of the CAJM Environmental Justice Committee who shared his concerns. He invited Councilmembers to take a very close look at the drainage plans for Gadsden Creek. They would have no choice but to conclude that the development in itself would do nothing to address flooding issues that could not be done more effectively without the added impervious surfaces, roofs, driveways, and large pipes. Most of the development would drain to the north in a ditch behind Stoney Field Stadium creating exactly the same tidal flooding situation they claimed they would be solving by filling Gadsden Creek. He told Council not to be misled, and he urged them to look at the drainage plan.

The Clerk said, "Dr. Koester."

5. Dr. Merrie Koester said, since 2015, it had been her privilege to work with hundreds of children and youth either living in or attending school in a Gadsden Creek Watershed to study salt marsh science. She said when they took care of their environment they ended up taking care of themselves. Many dedicated adult mentors had volunteered their time to go into Gadsden Creek with them, which had been deemed by NOAA, South Carolina DNR, and the U.S. Fish and Wildlife as a fully functioning tidal creek and Federally protected critical wetland. She read excerpts from journals of children aged 8 to 15. She said Council would hear a common theme which was their own fear of being evicted or displaced from their homes. A 13-year old, 'We live in Back to the Green, and we think our opinion matters when it comes to making our City better for all of us. We think our community is falling apart. We are being moved from our homes and being dislocated, and it is affecting us.' A 10-year old, 'Please don't take away the homes of the animals by destroying Gadsden Creek. I've lost a home, and I don't deserve it. They don't either.' An 8-year old, 'Gadsden Creek is very important to me because it is my home.'

The Clerk said, "Time. Joel Sadler."

6. Joel Sadler said he opposed the draft of the Memorandum of Understanding, the BID. He had written college papers shorter than the e-mail he sent Council that

week. There was an old adage that, 'If you think everyone else in the room is wrong, you're probably the one that's wrong.' He was worried that was him because when he read history, he was compelled to take different policy stances than Council was time and time again. When he considered everything that made Charleston a world class City, the culture, the wealth, the food, even the streets and the buildings themselves, he saw it as entirely thanks to the work and contributions of enslaved Africans and their descendants. Yet Council repeatedly took a White first approach when making policy decisions for the City. When it came to the BID specifically, he opposed the way it was structured on those grounds. He asked Council to look at it from a Black first lens rather than a Black last lens because he didn't know how Council could look at the jewel of South Carolina and approach it any other way.

The Clerk said, "Lin Jay."

7. Lin Kuhl Jay said she was a member of the Charleston Area Justice Ministries and advocate of Friends of Gadsden Creek. She and a few members of CAJM met with Mayor Tecklenburg in March, and he told them about an informative book he had just read learning about the City's history of filling salt marshes over the past three centuries. The book was 'Lowcountry at High Tide: A History of Flooding, Drainage, Reclamation in Charleston, South Carolina' by local historian Christina Rae Butler. The author pointed out that when water couldn't reach an outfall, flooding occurred. She imparted that new construction of wetlands should be avoided, that Gadsden Creek was one of the only remaining tidal creeks on the Charleston Peninsula. Some of Council voted in favor of filling the creek and may have been led to believe that decision was irreversible. What actually was irreversible was the forever impact it would have on downtown, the land, the people. It was Charleston, and if they referred back to the first item of public hearings that Council voted down, concrete wasn't the answer for flooding. Revitalizing the creek and the wetlands was an integral piece to solving the worsening problem in Charleston. Councilmembers Bowden, Sakran, and Waring attended their Nehemiah Action and committed to stop the filling of tidal wetlands beginning with Gadsden Creek along with restoring and revitalizing the area. She said unlock the beauty and in the Mayor's words, 'Save the buffer. When we know better, we do better.'

The Clerk said, "Time. Jerome Harris."

8. Jerome Harris said three months ago the City Council passed an ordinance to establish the HARCC, and 90 days later the HARCC still didn't have all of its appointments nor was there a director of the office responsible for organizing it. An item on the agenda concerning the Burial Ground Memorial Project was a great project that would contribute to the opportunity for racial reconciliation. If HARCC was in place, it could be of great assistance to make certain that the investment in that project was realized fully because of the HARCC's responsibility for working between the community and agencies in those kind of partnerships. He said they were making an error by not moving forward with that. He also brought to Council's attention that June 11<sup>th</sup> was the 25<sup>th</sup> annual remembrance of the Middle Passage where 12 million African descendants were brought from Africa to western America, and 1.8 million of those people died in the transition. The next time the City Council met would be after that event, and it would also be after Juneteenth where they would be celebrating the public announcement of the abolition of slavery. He said

Council's attentiveness to those matters was important and sent a message to the community. He told Council to please act.

The Clerk said, "Marcus McDonald."

No one asked to speak.

The Clerk said, "Carl Blum."

9. Carl Blum said he was in support of restoring and revitalizing Gadsden Creek. He said they continued to hear the rhetoric of contamination just by its destruction. While on the surface, it may seem to make sense, once they began to dig deeper, they found that the state of the landfill was actually the City's own fault. The City refused to properly maintain the landfill cap. In 1969, the Department of Justice threatened to sue the City for dumping 13 years of waste and soil in over 95 acres of wetlands violating the Federal Rivers and Harbors Act. The City continually ignored warnings from the Army Corps of Engineers multiple times gathering municipal waste at the Harmon Field Swimming Pool, which served as an important Gadsden Creek community space. The City was responsible for the harm caused by the landfill, therefore, the fact that the landfill had not been maintained should not be continually used as a justification for filling Gadsden Creek.

The Clerk said, "Joanna Gilmore."

No one asked to speak.

The Clerk said, "La'Sheia Oubre."

No one asked to speak.

The Clerk said, "Alright. Those were all of the speakers that we had signed up. We did receive--"

Mayor Pro Tem Brady said, "I believe Mr. McDonald is here."

The Clerk said, "Thank you."

10. Marcus McDonald, lead organizer of Charleston Black Lives Matter, said on May 14<sup>th</sup> a White supremacist targeted and massacred ten African American people at a Buffalo Supermarket. His murder weapon read the words, 'BLM, Dylann Roof, and here's your reparations.' He said Mayor Tecklenburg and many on City Council should be ashamed of themselves. He wanted a lot of them to take a look in the mirror because they had several opportunities to show Charleston and the world that they were ready to listen and reckon with the nation's past and present racial inequities and violent White supremacy. While he would never shoulder those deaths fully on Council, what Council permitted was what they promoted. He said Council was so quick to chastise and correct him, however, Council permitted the right to hinder true progress in the City. There were no two sides on the issue where one side had been oppressed and discriminated against for over 400 years and counting and the other side had amassed wealth and had the privilege to walk out of their home, walk into a church, into a grocery store, into a traffic stop, and into the White

House and harass, stab, shoot, and kill whoever they wanted with nothing against them. He said they knew they had the privilege to do that, so there was no both sides. There was just right and just wrong. He asked how many of them had to die before Council finally listened. The CEIRC framework for the Commission on Equity needed to be pushed forward by the HARCC with increased abilities and no censorship. Council was politicking while people were dying on the street.

The Clerk said, "Time."

Mayor Pro Tem Brady said, "Thank you, sir."

The Clerk said, "And those were all of the speakers that we had signed up. We did receive some comments online. One person left a comment regarding the introduction of the MOU with Charleston Downtown Alliance for administration of the King Street BID and stated that there were at least 20 vacant storefronts on King Street between Calhoun and Market because smaller, local, and non-national chain businesses could not afford the rents. All rents would increase even more with the proposed BID assessment, and it did not take a million dollars to provide flower baskets and banners on light poles. They also said the sidewalks had become overcrowded with tourists and that the solution was reduced rents which allowed small business owners and regional businesses to fill the vacant storefronts. The needs of King Street should not be balanced on the backs of small business owners and residential property owners. One person said it was against the will of the people and the interest of the community to fill Gadsden Creek for the benefit of WestEdge. They said flooding occurred when water could not reach an outfall and the Peninsula's outfalls were the tidal creeks that fed into the Ashley and Cooper Rivers. The destruction of wetlands was illegal, and Gadsden Creek was one of the only remaining tidal creeks on the Peninsula. They also said the City needed a new director for diversity, equity, and inclusion. One person said City representatives were hypocritical for forcing a substantial amount of traffic by three veterans' homes as a result of illegally closing two roads during a time when the nation honored Memorial Day. He said after 18 months since Council was made aware of the problem it was time for some relief. Those were all of the comments that we received."

Mayor Pro Tem Brady said, "Thank you very much. Now we'll be moving on to [Petitions and Communications](#) item 1. We have an appointment to the Board of Zoning Appeals, and we also have a Citizen Police Advisory Council appointment, as well."

Councilmember Seekings said, "Motion to defer item c."

Mayor Pro Tem Brady said, "Alright. There is a motion that has been put forth to defer item c. Is there a second?"

Councilmember Waring said, "Second."

Mayor Pro Tem Brady said, "Alright. It's been moved and properly seconded to defer item c. Is there any discussion?"

No one asked to speak.

On a motion of Councilmember Seekings, seconded by Councilmember Waring, City Council voted unanimously to defer discussion regarding Charleston County Aviation Authority appointments and potential action.

Councilmember Seekings said, "Motion to approve items 1a and 1b."

Councilmember Shahid said, "Second."

Mayor Pro Tem Brady said, "It has been properly moved and seconded to approve items a and b. Is there any discussion?"

No one asked to speak.

On a motion of Councilmember Seekings, seconded by Councilmember Shahid, City Council voted unanimously to approve the following appointments:

1. Appointments:

a. Board of Zoning Appeals – Zoning

- H. Chapman McKay (New appointment)

b. Citizen Police Advisory Council

- Sara Mack (Recommendation by Councilmember Robert Mitchell)

Councilmember Seekings said, "Mr. Mayor Pro Tem, just very briefly."

Mayor Pro Tem Brady recognized Councilmember Seekings.

Councilmember Seekings said, "I do see one of the people we just appointed to the Board of Zoning Appeals – Zoning, which is an important position, like all of our Committees are, is here, Mr. McKay. So, I just think we should recognize him and thank him in advance for all of the hours he is about to put in."

There was applause in the Chamber.

Councilmember Shahid said, "Yes, here, here."

Mayor Pro Tem Brady said, "Okay."

Councilmember Seekings said, "Thank you."

Mayor Pro Tem Brady said, "Thank you, Councilmember Seekings. Item 2, [Community Flood Resilience Support System Pilot.](#)"

Robert Hauck said, "Thank you, Council. My name is Robert Hauck. I'm the GIS Division Director, and I'm joined today by Kathryn Roscoe of Deltares, and I'm going to give you a brief update for a project that the City has been a partner on. To give you a little background, the Community Flood Resilience Support System is a partnership between the Department of Homeland Security and Deltares that they found that coastal communities needed an easy, fast flood modeling tool to help with planning, and eighteen months ago or so they asked the City to partner, and help test, and refine their tool. So, since then, we've been meeting weekly, we've had several staff workshops and some on-site staff training. Representatives of Deltares are

here this week to do final staff training and then, hopefully, this project will go into the future, so I'll just run through a few quick slides.

Why did they pick Charleston? We've got right now that Charleston is increasingly impacted by all of our types of flooding and storm surge. Our King Tides, extreme rain, and then the compound flooding, rain and tide, and our King Tides are getting pretty impactful. The last couple of years we've had over 8 ft. tides in the fall, and that's never going to stop. The moon will continue to revolve around the earth without reprieve. So, with our sea level rise strategy, we're looking at a quote from Dale Morris, our Chief Resilience Officer, two to four ft. of sea level rise over the next 50 years. So what does that look like on top of the flooding that we're already seeing? That's what this tool is going to help us do. It's to help us see our vulnerabilities, our risks, and most importantly, our opportunities. Where can we start to build plans for mitigation and just to see what the future looks like? It was brought up today that sea level rise was mentioned a couple times.

So, our sea level rise strategy says we need to use the most relevant data, and that's what this tool is going to help us do. What data we need? We need historical data, real time data to help us adapt in real time, and then we need the future conditions. What is sea level rise going to look like? Where is the water going to go? How often is it going to flood? When is that going to happen, and how deep is the water going to be? So, we're good at those first two. The third one, the future conditions, that we need help with. This tool is going to help us visualize the science put out by NOAA and other entities that we can look at their projections, plug it into the tool and see what that looks like for Charleston. We've validated the tool, we've plugged in previous storm models and compared that with our damage assessments and have found the model output is very accurate. Importantly, this fills a gap in the GIS Division's capacity. This tool is going to let us quickly model different scenarios, different risk tolerances, different goals, and different time scales. Now these are examples of some of the questions we'll be able to ask. What if we had rain on top of some of those large 8 ft. King Tides? What will that King Tide look like in 20 years? The question is where is the water going to go with the sea level rise? Will there be a need for future buyouts in this area? We can look at areas 20 years in the future and kind of make some informed decisions. An important one to me is how many times of the year will the roads be impassable. A lot of times we're focused on the homes, but before the homes flood, the roads are going to be impassable, and then the question is what kind of mitigation measures make sense? Does flood proofing, how long will that help? Elevating, how high do we need to elevate? So, again, this is a tool supported by the Department of Homeland Security with the expertise of Deltares, and I've been proud to help work on it, that the City has been providing input, for a tool that will one day help all coastal communities that are experiencing the same flooding impacts that we're experiencing. So, with that, I'll turn it over to Kathryn Roscoe, who is visiting from the Netherlands."

Dr. Kathryn Roscoe said, "Hi, my name is Kathryn Roscoe, and it's really an honor to be able to be here and present this tool, which we hope is really going to play an important role in Charleston in planning for sea level rise and other changes that influence flood risk. So, this tool, I'm going to try to go through this quickly. It's called the Community Flood Resilience Support System. It's really meant for non-modelers to be able to have more access to understand flooding and impacts under different scenarios, so the community is really central. I won't go through this in great detail, but the kind of questions that Robert was just talking about, you know, what if that storm track had been a little bit further south or what's going to happen under sea level rise, that these questions are brought into the tool with this user interface that is really intended for technical people, but really non-modelers, so it's a much wider group that can do these kind of analyses. You look towards the future by looking at different projections, sea

level rise, population growth, you specify events that you're interested in, like King Tides, hurricanes, rainfall events, and you can also look at strategies that you may want to consider in the Charleston area, like elevating homes or putting in a flood wall. The model automatically takes these inputs from you and runs a very fast, but physics-based flood model and impact model, and it sends these results to visualization, Arc GIS kind of materials that you can view, what is the flooding and what are the impacts? So, this isn't so important. These are the names of the software that's in there, the flood and impact model. The important thing is that they run quickly, they are free, and they are physics based. Like Robert was saying, we have validated them.

So, I wanted to show how we have been using it in Charleston. Charleston is really a model for the rest of the Country. This is going to be rolled out to all coastal communities, and Charleston is serving as the model, so these are just some community questions we've been discussing in the project. King Tides are already a problem. What's going to happen under sea level rise? The Army Corps has a surge protection plan for the Peninsula. What about the rest of Charleston? What's the flood risk when you consider all different types of flood events that can affect a city, and we know an area will be impacted by sea level rise, but when? So, these are the kind of questions the tool can answer, and I'm just going to show a couple of results to give you an idea of how we address those questions with the tool. So, we looked at two areas. First, I'll show an example for Rosemont, which is a lower income area on the Peninsula that will not be protected by the Army Corps seawall. So, we looked at the question what about the rest of Charleston for this 12 ft. event that the Peninsula would be protected against? We break this into an event, a projection, and a strategy. I won't get into that too much right now. When you run the tool, you get a flood map. I'm going to zoom in on a focal area, so you can see what we're looking at, and what you see is zoomed in here for Rosemont. You see the flooding, and you see houses in orange or red. Those are homes that are impacted and would be having damage for this event. So, we can look at what if we would raise those homes? That's something that's being considered. What if we would raise them to the same protection level of 12 ft., and you can do that in the tool by selecting those homes and specifying how high you would want to elevate them. This is a before and after. I'm going to show a little zoom-in here, and you can see the homes that were impacted before the measure. The flooding is the same. It hasn't affected the flooding, but those homes would be elevated above the flood waters, and they wouldn't be impacted. You can look at this going forward with sea level rise to make sure that this is a sustainable solution. I can't show that here because of time. One thing to consider, you can also see that some of the roads would still be flooded, so that would isolate this neighborhood even though the homes wouldn't be damaged. So, that's also something that needs to be considered.

So, the other example that I'll show today is for South Windermere. This is an upper middle class neighborhood that's in a very vulnerable flood area. For this one we looked at the question King Tides are already a problem, how will that look in the future? So, for that we took a look at last November's King Tide, current day conditions, but then we also put a sea level rise, the projected 2050 intermediate scenario, sea level rise for 2050, to see what that would look like. So, this is the flood map shown zoomed-out for the King Tide from November and just sort of zooming in, and I see it's really hard to see actually, but you can see it's very light blue, but the roads all along this area are flooded even though the homes aren't very impacted. When the homes are impacted, they show up in sort of orange colors, so that's what happened in November. If we want to see what is that going to look like in the future, we can kind of zoom-in, and I hope this is going to be visible, what you see is that that flooding in the roads will get worse, and you will start to see homes impacted. So, this is not an extreme event, this is not a hurricane, this is a high King Tide, what usually happens every year. You may notice some

areas, some homes are flooded and not impacted. That may be confusing, but that's because some of the homes, and I just pulled one example here, are already elevated in the area, so that information is also in the tool. This is a do-nothing scenario. So, this is the end of this presentation. We've analyzed many more scenarios with measures and under sea level rise, but I don't want to take too much of your time tonight. Thank you for the opportunity, and I'd like to also acknowledge my colleagues who are here tonight. Thank you."

Mayor Pro Tem Brady said, "Thank you. Does anyone on Council have any questions for the presenters?"

Mayor Pro Tem Brady recognized Councilmember Shahid.

Councilmember Shahid said, "So, what other information are you all looking for besides what you've already gleaned to date?"

Dr. Roscoe said, "What other information are we looking for to put in the tool or to analyze with the tool?"

Councilmember Shahid said, "Both."

Dr. Roscoe said, "Well, we have a lot of data that's already in the tool. I think Robert can probably speak better to how they would use the tool."

Mr. Hauck said, "That's one of the things exciting about the tool is we have access to the underlying data, so right now we're using a Federal data set for our structures, but we can go in and fine tune the data to get the exact first floor elevations to make the model really accurate for our local community. A lot of the sea level rise projections, they're national data sets, and this will let us kind of look at more of a fine tune thing just at Charleston, and we can refine and work on the data going forward. So, does that answer your question?"

Councilmember Shahid said, "Yes."

Mayor Pro Tem Brady said, "Alright. Anyone else?"

Mayor Pro Tem Brady recognized Councilmember Seekings.

Councilmember Seekings said, "So, just briefly, this is fascinating and, I mean, I can see the uses are going to be incredible. I think it's going to be important. Just very briefly, and I see Mr. Morris is here, we're looking at a picture, and if you don't know what you're looking at, that's a wave tank at Deltares, which is actually a place. I don't think anyone explained to the members of this Council who haven't actually been there, which is the Mayor, Councilmember Gregorie, and me, who or what Deltares is. I think you might want to let us know. We've really got some incredible minds working behind us, so tell us just briefly about Deltares."

Dr. Roscoe said, "I appreciate that question. So, Deltares is sort of like a national lab based in the Netherlands. We are a not-for-profit organization that does all sorts of applied research for water-related issues, and indeed, we have lots of facilities where we simulate large, I think the largest waves. We do things like plant mangroves in that wave tank and then bombard them with waves to understand more about how nature-based solutions can reduce wave heights and just a lot of different type of applied research. We also, well, we develop a lot of software that's also freely

accessible, so I think we're also known for that. So, anyway, it's really an honor to get to present and be here. Thank you."

Councilmember Seekings said, "Thank you."

Councilmember Shahid said, "Thanks."

Mayor Pro Tem Brady recognized Mayor Tecklenburg.

Mayor Tecklenburg said, "So, Councilmember Seekings kind of beat me to the punch. I also recognize that wave tank, and that's just a very small portion of this facility. Deltares is a world class organization of scientists whose expertise on all things flooding and climate change, I think they're at the top of the game on the planet. They really are, and Charleston is really blessed that we were able to partner with them to create this amazing tool. When it's fully available, you know, like online, you can come up with your own scenarios for your own neighborhood or any part of the City. You know, what if such and such happened and be able to see the impacts that can happen to our community by all kinds of flooding, but also what kinds of measures can we take to help mitigate and protect ourselves. So, I just view this as an amazing tool, and thanks also to the Department of Homeland Security. They did help fund the effort, and Robert Hauck's efforts and our whole GIS team has just been amazing. So, I just wanted to shout-out to Robert and Kathryn and just let the public and Council know just what an amazing tool we have and how thankful we are to Deltares and their expertise. Thanks."

Mayor Pro Tem Brady said, "Thank you. Would anyone like to discuss this item?"

No one else asked to speak.

Mayor Pro Tem Brady said, "Alright. Well, thank you for your presentation. I'm going to move on to [item 3, the Introduction of Memorandum of Understanding with the Charleston Downtown Alliance for the Administration of the King Street Business Improvement District](#). I do want to note that this item is for discussion only, and I will turn it over to Robert."

Robert Summerfield said, "Thank you, Mr. Mayor Pro Tem. Real quick, they're going to get my presentation. I just wanted to give a real quick presentation. It's a 24-page document, so we wanted to go over a few key items from the draft MOU that's before you this evening. I would emphasize that this is still in draft form, that this is for review and suggestions by the Council as we continue to work with the CDA Board on finalizing this MOU, hopefully, to be able to bring that back later in June, but we want to hear from the Council on their input with regard to this, and I know the CDA is very interested in that, as well.

So, we wanted to go through three key provisions and when I say 'we' there is myself, we also have Melissa Cruthirds, Melissa from Legal, and then Meg Thompson from my office and the B&S Division, as well, that have been working on this, and, then, I believe we have some folks from the CDA, Mr. Price, and his attorney are here, as well, that can provide some comment if the Council would like. So, there are three key provisions or areas of the draft MOU that we wanted to go over based on comments that we had heard from the community, comments that we had heard from the Council during the process for adopting the Business Improvement District Ordinance. There was a lot of discussion around what the Board makeup for the CDA would be, how we would effectuate transparency, and then the services that would be delivered by the CDA as part of this management agreement.

So, the first thing I wanted to go over was Board makeup. So, again, we heard very specifically that there was an interest and a need and an expectation that there be not just property owners on the Board, but also commercial tenants. So, the MOU requires at least one of the directors on the Board of Directors to be a commercial tenant within the district. To also provide a little bit of table setting with regard to the Board, the MOU also requires that the majority of the Board of Directors be property owners within the district and that the majority of those Board of Director members be within the Tricounty area. So, again, we don't, we're not looking for people in Boston participating in this. We want folks that live, recreate, and do business here locally participating in this. At least one of the directors shall represent a racial or ethnic minority. We, again, heard that very clear throughout the process that there was a need from the community to have representation on the Board of Directors. Now, in all fairness, there is not a lot of diversity amongst ownership on this stretch of King Street. We all know that, but the Board is committed to working and ensuring that there is representation on the Board of Directors for the CDA, that at least one Board Director represents women, and then, finally, one of the other things that we heard was that, you know, these are public dollars. At the end of the day, the assessment equates to public dollars and so having representation from this Council be participating on the Board was very important. So, again, we've included a provision that one of the directors who would reside in the district be nominated by the Mayor and approved by the City Council just as you all do for all commissions and boards, work that process that the Council, in essence, would have a representative on the Board as well as the property owners. Then, finally in an ex officio non-voting capacity we would also have a staff member. The CDA will be working very closely with City staff. Right now, this person is essentially Meg Thompson in Business and Neighborhood Services, but that we would have a staff representative that would participate in Board activities to provide that connective tissue between CDA and City staff.

I want to be clear because this was a question that came up, so, the CDA would be responsible, that Board would be responsible, for the hiring of any staff related to the management of the BID. That would not be the City that would do that, so if they hire an Executive Director, that would be the CDA's responsibility to do that. The other thing that I wanted to mention and make clear was that the by-laws for the CDA, which is a non-profit, either do or will have to make it very, very clear, as the MOU does, that the directors may receive no compensation for their participation on the CDA Board and as a part of the BID management team.

Transparency, so, again, one of the things we heard very loud and clear was that Council needs to have a level of oversight related to this. As much as I think everybody appreciates that this was the private sector who came to the City and said, 'Now is the time, you all have been working on this or calling for this since the '70s. We have what we feel is a critical mass of folks on the street who are ready to do this.' We heard very clearly these will, again, be public dollars because of the way the assessment is done, so the City needs to have some oversight, so we built in some very clear transparency elements here. The first item is that there will be a Five-Year Implementation Plan. They will need to update that Five-Year Plan, as we're currently contemplating it, every five years. The very first one would be due within 120 days of the CDA's hiring of an Executive Director or Program Manager. It would outline the priorities for that first five-year period. It would describe how they anticipate day-to-day operations going, and they specify the methods for evaluating performance. Then, every year there will be an annual report and a planning report that will be due to the City Council. The annual report will be taking a look back at what has happened in our previous year. It will talk about how funds were used, accomplishments that were met, and it would report on the status of different metrics that are identified in the MOU as different things that the City would be interested in knowing and hearing more about how the BID has been successful or at least played a part in addressing improvements on the street. The second element, and this is probably the most important, I think, for the City Council is the Planning

Report, so this is essentially their annual work plan and budget. This would identify the activities for the coming year, it would allocate the funds associated with those activities, and this would have Council input via an anticipated Annual Workshop Budget Ad Hoc Committee, if you would, on the proposed Action Plan for the year. It would be done in the spring so that there would be plenty of time for them to work through that and Council to have meaningful input before they submit their budget in line with our budgeting process. Then, additionally, there is an Annual Audit that is required as a part of that Planning Report. This is very important as it will be conducted and required to be done by an independent CPA, and that report will be delivered directly to the City, directly to the BFRC, and not handed through any intermediaries so that, again, there is that clear accountability with how those public funds are being spent.

Finally, service delivery, we heard a lot about trying to understand and better get a handle on service delivery, so there are a few requirements under the service delivery. You will see a lot of this in, I believe it's Exhibit A in the document, but there is a requirement to have a Citizens Attitude Survey. One of the things that we want to make sure of, is this a good continuing process to have? And so we want that information and feedback. Additionally, the CDA will need to do a pedestrian and visitor count regularly to, again, try to understand what those numbers look like and how that's impacting the operations of the street. Then, finally, they will be responsible for implementing the Improvement Plan that this Council adopted as a part of the ordinance that approved the Business Improvement District. Just a reminder, that includes services related to the street, street beautification, programming, different programming and destination management-type activities, promotion and marketing materials that could be produced, as well as economic development like vacancy information, pop-up art things, and vacant things. All of that could be under that section there.

With that, we are hitting the home stretch, if you would, of the BID in preparation for an anticipated service delivery schedule in January and February of next year. So, we're introducing the MOU because, again, we heard that Council wanted to have hands on this and the ability to look at it well in advance of it coming forward to a Ways and Means Committee meeting for action. At present, we're anticipating action potentially, excuse me, at that June 21<sup>st</sup> Ways and Means and City Council meeting. All of this is in preparation, like I said, for the start of services on King Street related to the BID in Q1 of 2023. With that, like I said, the City team is here. We have folks from the CDA here, as well. We're available for any questions. Otherwise, it's a discussion for you all. Thank you."

Mayor Pro Tem Brady said, "Alright. Thank you for that, Robert."

Mayor Pro Tem Brady recognized Councilmember Shahid.

Councilmember Shahid said, "Robert, before you get too far, maybe I just missed it. What is the number of board members, directors?"

Mr. Summerfield said, "So, one of the items that they'll have to do is update their by-laws. At present, I don't believe, under the MOU, there isn't any minimum or maximum number of board members, and I don't believe their by-laws currently state a specific number of directors. They will need to update and supply to the City their finalized version of their by-laws which, again, we have some best practices that we found from the BIDs across the Country that we are actually preparing to share with the CDA for them to review for possible inclusion of some of those things in their by-laws that they'll have to update before this becomes effective."

Councilmember Shahid said, "So, what are we looking for, a low number or a high number?"

Mr. Summerfield said, "I don't think we know. If you wouldn't mind, Mr. Price is here. He is the President of the CDA, if he has a number. I'll be honest, I'm not sure. The Executive Committee includes about 10 people, I think, right now."

Chris Price said, "The Board right now--"

Mayor Pro Tem Brady said, "Would you please come to the microphone?"

Mr. Summerfield said, "The Board, I think, is 13, 10 or 13 right now, but they do have some advisory positions, as well."

Mr. Price said, "Yes, Council, I'm Chairman of the CDA and, right now, the by-laws have stated that we can, there's not a high number or low number, but we have 15 people on the Board currently, and there's a four-person Executive Committee at this point, so that could be expanded in any capacity as we choose at this point. Does that answer your question, Councilmember?"

Councilmember Shahid said, "Yes, and I've got a few follow-up questions, as well."

Mr. Price said, "Sure."

Councilmember Shahid said, "Do we have any thought that a certain percentage of these Board members, these Directors, must live in the City of Charleston?"

Mr. Summerfield said, "So, again, we do have a requirement that the majority of the Board of Directors live in the Tri-county area."

Councilmember Shahid said, "I heard that. I said City of Charleston."

Mr. Summerfield said, "No, sir. We had a lengthy conversation about that. The reality is that not everybody who owns property on King Street lives in Charleston."

Councilmember Shahid said, "I think we need to have at least a minimum number of people required to live in the City of Charleston on this Board."

Mr. Summerfield said, "We can explore what that might look like."

Councilmember Shahid said, "Yes, and why not have a member of City Council on this Board?"

Mr. Summerfield said, "I don't know that we couldn't. I think the conversation or the concern was that you all are stretched a little thin, so let's set it up so that the Council can appoint somebody. There's nothing, I don't think, that says that Council couldn't appoint one of its members as it's written."

Councilmember Shahid said, "Those are just some questions, and I'm not telegraphing anything, but I think those are some issues that I would have some concerns about along those lines. I'm sure it's something we can talk about some more between now and June 21<sup>st</sup>, but just to let you know where I'm coming from. Thank you."

Mr. Summerfield said, "Sure."

Mr. Price said, "And, Councilmember, let me, we did have a lengthy conversation on this. The problem that I think we might run into is the actual owners of the properties on the street might not actually reside in the City of Charleston, so they might live in Mt. Pleasant, they might live on James Island, and that's the issue that we ran into. So, as a result of that, we said why don't we have it the Tri-county area as ownership? That's how that conversation took place."

Councilmember Shahid said, "Alright. Okay. Thank you."

Mr. Price said, "Sure. Yes, sir."

Mayor Pro Tem Brady recognized Councilmember Sakran.

Councilmember Sakran said, "Thank you, Chair. I won't be long, but I certainly want to just thank Mr. Price for coming back and thank Mr. Summerfield for making some of these changes. I think we're heading in a positive direction, but I still have some concerns. My concerns really are, not so much with the landlords, but with the tenants. What survey have we done with actual tenants of those parcels? Not the landlords, the tenants."

Mr. Price said, "Robert, do you want to answer that question on the last surveys that were done? Meg was in charge of those."

Mr. Summerfield said, "Yes. So, as a part of this process, there has been work done by the College of Charleston with the Riley Group. I don't recall. They called them Listening Sessions. There was a survey, and I'll let Meg maybe come up. I don't remember how comprehensive that was. The Listening Sessions that the College of Charleston did and that was under, like I said, the Riley Center. They had tenants, I'll be honest, I do not know what those specific numbers were. As a part of the signature process, we had efforts being done though by the CDA and by City staff to go out and actually go to the businesses, not necessarily the property owners. Again, it wasn't a scientific survey, it was a here is the information, here are the Listening Sessions, please come, but, again, I don't think we have specific numbers."

Mr. Price said, "Yes. Let me add to that also. We had two Listening Sessions that every single business operator was invited to, so everybody has been invited that's on the street period, not business owners, but business operators on the street. Everybody has been invited, and Meg can probably add to that also as she was involved in those Listening Sessions."

Councilmember Sakran said, "Two more points, Mayor Pro Tem. May I suggest that some of those sessions may not be Listening Sessions that figuring out a way to make it anonymous. I will let you know, I'm a business owner, and if my landlord was vocally in favor of this, I might think twice about saying anything publicly. So, I think anonymously we should make sure that we poll those tenants, number one. Number two, when you look at the assessed value on some of these properties, this goes back to the session we had a couple days ago, if the assessed value is at a million dollars, and you correct me if I'm wrong on my math, we're talking about a \$10,000 price tag for that business owner. Is that not right?"

Mr. Summerfield said, "No, for the property. So, again, one of the things that's important to note is it's for the property, so if it's a multi-tenant building or facility that, you know, whatever that price tag is for the assessment would be broken out, I assume, proportionally if it's going back to a

tenant versus the property owner. So, that's important, and I'm going to look at Meg. We did do the exercise that you requested. I just don't remember if we sent it out."

Councilmember Sakran said, "Yes. Okay."

Mr. Summerfield said, "Did we send it out yet?"

Meg Thompson said, "No."

Mr. Summerfield said, "No, we have that, though, that gives those samples that you requested, and I apologize."

Councilmember Sakran said, "Okay."

Mr. Summerfield said, "I hoped we would be able to get that out by now, but we haven't."

Councilmember Sakran said, "So, is my math incorrect, Mr. Price, if the property is a million dollars, which is not farfetched for King Street?"

Mr. Price said, "Sure. I'll go through the process real quick for you, but if you have a million dollar property, the assessment value is a 6% assessment value, so, of that, so you would multiply a million dollars times 6%, and that is the assessment value, and then that's multiplied by the .0113--."

Councilmember Sakran said, "Gotcha."

Mr. Price said, "Yes, you can do the math right here, and it's much less than \$10,000."

Councilmember Sakran said, "Sure, and then what assurances do we have in place that the landlord will not pass those additional fees on to the tenant?"

Mr. Price said, "I mean, so that's a private sector right of what they do with their tax bills."

Councilmember Sakran said, "That goes back to my original question. Polling the landlords is only going to give us one part of the story. Polling the tenants is going to give us the full picture. Because if I'm a landlord, certainly I would be in favor of this, and I'll just pass this on to my tenant."

Mr. Price said, "Well, I can tell you, and I don't have the polling numbers with us, but most of the operators on the street want this done, that the populous that is on King Street, they're not happy with the state of the street period, and that's not coming from the property owners, that's coming from the operators, the business operators. That's why we're doing this."

Councilmember Sakran said, "Yes, I agree, but I think that's two separate issues. I will agree that the folks I've talked to have all said the state of King Street is not what it used to be. There's all of these additional improvements. I think we all agree."

Mr. Price said, "We have the same goal for sure."

Councilmember Sakran said, "How we get there, I think, requires a bit of a little more massaging. Thank you."

Mayor Pro Tem Brady said, "Is there anyone else?"

Mayor Pro Tem Brady recognized Councilmember Bowden.

Councilmember Bowden said, "Two questions here, the first is, how did you all arrive at this idea that the person that the Mayor nominates and that we confirm resides in the district as opposed to owns a business in the district or operates a business in the district or, you know, has a horse in this?"

Mr. Summerfield said, "Yes, you weren't supposed to catch that, that was actually a typo that I carried over from the document when I made the PowerPoint. So, it's actually not resides because there are very few Residential properties actually in the district, and of those that are Residential, they're either second homes or rental properties. They're not owner-occupied, so I apologize, that is actually an error. I've been corrected in my ear here, so it's not resides, it's related to the district, does business in the district. I don't know what the exact verbiage that the team is looking at there, but, yes, I apologize, it's not supposed to be resides."

Councilmember Bowden said, "Gotcha. I didn't know if you guys had a college student in mind or something like that."

Mr. Summerfield said, "No, but that would be an interesting take on that actually."

Councilmember Bowden said, "And, then, with regard to the ambassador program that, in addition to what Councilmember Sakran just raised, I think that's my biggest concern. So, let's say we get one year down the road, and we get a million complaints of only certain people are being allowed on King Street or something like that, is there a way to re-visit that?"

Mr. Summerfield said, "Absolutely, and that, again, goes back to that transparency piece about why annually the City Council will participate, hear what has happened in the last year, those will be at Council meetings so they're open to the public, public participation during that process, and then, as a part of the work plan, coming up here with are our thoughts on the activities for the coming year, so all of that is, again, a part of this. I think there are rightly some historical case studies on where programs in some cities, particularly Boston, New York, D.C., where ambassador-type programs have gone astray. I think there are also really good examples in more modern times because a lot of those were older BIDS, older ways of doing business, but there is also a lot of case study or best practices, if you would, on how to do an ambassador program that really does do what the intention is, which is create an opportunity for people to get directions if they need to, to provide information to folks who may be experiencing homelessness, and this is a person that's recognized, well, and they can ask, 'How do I get to this particular service or that service?' These are not security, they are not police, they are just folks that are out there. They're extra eyes that can contact Emergency Services should a situation arise. They can contact Code Enforcement and our maintenance folks when there is a situation with a broken blue stone or graffiti or something like that, so they're an extra set of eyes that have training on how to contact and integrate with some City services to get a response out in a very timely fashion. They're not some of these private security-type situations that you will have seen in some BIDs and what have you in other communities of the past."

Councilmember Bowden said, "Gotcha. I think you all did a really good job sort of narrowly limiting their scope in this, so I appreciate that."

Mayor Pro Tem Brady said, "Alright. Anyone else?"

Mayor Pro Tem Brady recognized Councilmember Waring.

Councilmember Waring said, "Thank you. Let's go back, Mr. Summerfield. How much of the dollars, percentage wise, are coming from City and how much is coming from the private sector?"

Mr. Summerfield said, "So, based on the Improvement Plan, it's approximately 60% of the funds for the BID come from the assessment, the remaining 40% come from other sources. Those other sources could include, and the CDA anticipates including, a direct allocation from the County and a direct allocation from the City, as well as some additional fundraising that they would do first to kind of flesh out that annual budget either through programming that they do or what have you. Now, what has been made very clear all along and going through this is that they have to ask both the County and the City for those direct dollars that they may ask for annually over and above the assessment."

Councilmember Waring said, "Thank you. I don't think we would have any trouble with them asking for it. Can you go back to the makeup of the Board? That's it. You see number 2 where it says at least one Director who represents a racial or ethnic minority? In 2022, that's tokenism. The patrons that come and visit King Street are of every hue and color, but we're going to design a Board, and we're going to have one. In 2022, we're going to have one. That's called tokenism. When it comes to representation on how the dollars are going to be spent, that 60% that you referred to, you know, basically, 70% of the people who pay into that, well, let me put it like this, the taxpayers, let's go like this, in the City of Charleston, that's not 70%, let me correct myself. But we have one City, but the people in West Ashley, James Island, and certainly Johns Island, maybe even the Cainhoy Peninsula are going to be left out. Their voice is going to be left out and you say, 'Well, some of the owners may live in those areas,' I get you, but when it comes to that 60% of the dollars that's going to be coming from the public realm, we have private/public relationships already set up that work very well in this City. This one kind of looks like, and let me tell you, now, I voted for it, but I think there's some way to massage this to make it more inclusive of not just being, and I'm not just talking racial, people from different regions, West Ashley, James Island, Johns Island, and the Cainhoy Peninsula, Upper Peninsula, look and see things differently. If you're going to get money from the public realm, you need to have a broad input.

I mean, this piece about, I understand some of the ownership, in particular, on King Street is dissatisfied with King Street, but let me tell you, they bought into King Street with King Street looking a lot worse than it looks today. The tenants that moved in there, that environment was what they see now. A lot of this came out of the riot. I get that. We want King Street to look better. I get that. I voted for the baskets that, and it was a great idea from Mike Bennett on behalf to put those flower baskets on the ornamental lighting. I voted to help paint the plywood boards up there that look like after Hugo, frankly. Again, that was a great idea from Mike Bennett, and we all supported it, but right now this looks too, frankly, class. When I say class, I mean caste. If you're not in that circle, you're not going to be represented, and you're right, Councilmember Sakran, that's going to be passed through to the tenant, tripling that lease, that's going right back to the tenant. I may have mentioned when we spoke about this a couple of weeks ago, I forget the name of the lady, she came up to the microphone, I don't know if her numbers are right, but a big number for this ambassador. I think this ambassador can run into a lot of conflicts. This City has a great Livability area, Code Enforcement Officers, but is the private sector going to hire that person? I think they'll pay that person not coming out of the 60 percentile that was coming out of the assessment, but if the private sector is going to hire that person, they can be going up and down King Street to be the paw patrol for King Street. They need to pay them, and that's one way of keeping a check on that

salary not becoming outlandish. Because I've got to tell you, the private sector is not going to overpay, but with somebody else's money, that may occur. I don't see anything about that. I know you're bringing this up for comment, but for so many decades the Peninsula was looked upon one way, and the rest of Charleston was kind of left out, and that's all I see on this right now. I don't see at least one Director who represents women. I mean, it's 2022 and we had knowledgeable minds that sat down and worked this out. That's not inclusive. It's just not. Now, you brought it for the transparency, you brought it for the input, it's the time to have that input, so, obviously, some of those things need to come back. How would that have looked in 1950? A woman may been on it, but there isn't a whole lot of difference than the way this thing would have been made up in 1950 and the way it's made up today, and I just think we're better than that. Back to that term, Peter, we're better than that as a City. So, I thank you for bringing it forward, but I don't think we ought to rush it through like this. Thank you."

Mayor Pro Tem Brady said, "Would anyone like to speak before it comes back to Councilmember Shahid?"

No one asked to speak.

Mayor Pro Tem Brady recognized Councilmember Shahid.

Councilmember Shahid said, "Just to build on what Councilmember Waring, and you were picking out why I asked those questions, but I think that we're going to short-sight ourselves. It's not just inclusiveness, it's diversity, and you want people with different ideas and different minds and different experiences on this Board. Because I'll just tell you, quite frankly, I mean, some of the criticism I get from my constituents is, 'I don't go downtown. I don't visit any of the places on King Street,' and then I get a plethora of reasons why they don't do that. So, I think you're going to benefit if you get somebody from Councilmember Parker or Councilmember Boyd or Councilmember Mitchell's District explaining to you why I think you should be doing certain things differently because I think you want those folks back downtown. So, I get the idea, what you're trying to accomplish with this Board makeup, and not that we're being critical about it, I think we're just trying to make sure that you're going to accomplish what you're trying to accomplish. I think we're all, and I'm going to speak for myself, but I want this to be successful, I want this to be a model for what we can do. Because I told you all before, I want to take this little incubator and bring it over to West Ashley, because I think we can learn from this, as well, on some of the Commercial progress so we can do in West Ashley. But if you don't have diversity, you don't have inclusiveness on this Board, and I think you're just going to be short-sighting yourself a little bit. So, I think, I know what you all are trying to accomplish, it certainly is going to be the folks who are chucking in the money from their property, but also I think that's why I asked the question, what is the size of the Board going to be and these other questions, so I think that's why we're all trying to go in that same direction."

Mr. Price said, "Let me comment on that, too, Councilmember. We have on purpose left the Board open at this point. We had to get the BID to a point to say, 'Yes, we can move forward with this initiative,' that's been really pushed forward for the last 40 or 50 years in the City.' And all the consultants want it, you all have heard all of that, but the Board is going to be totally revamped with these measures. We're open to more diversity. There is no question about it. I mean, I want that. I want somebody to challenge me. I mean, I live on James Island, but more diversity, absolutely, not even a question. So, I think, as we progress with this, I mean, once we get this agreement done, the next step is we've got to somehow figure out how to build this and implement it. I mean, these BIDs are done all over the United States, and they're extremely, extremely successful, but again, it takes, you got to build it and put it together, and that's where we are at this point. So, as far as the

Board, it is wide open, and the more diversity we can get the better for all of this and for the community, and that's what this whole BID is about is to build this community, not just the people that visit Charleston, but the people that live in this community. That's what this is all about, and that's why we're doing this, so more suggestions the better for us as we move forward with all of this initiative."

Councilmember Shahid said, "Again, thank you."

Mayor Pro Tem Brady recognized Councilmember Seekings.

Councilmember Seekings said, "So, just very briefly, I mean, these are all really great points. One of the things is we're sort of having this conversation a little bit in the dark because we haven't seen the MOU, which is sort of the set-up for going forward and, boy, I'm the last person who ever wants to recommend something like this, but in some way, shape, or form before this comes back to this body for a vote, I think it's very important that we have some form, hold your breath, of a workshop or something so we can have input after everyone has had a chance to look at what is a very long legal contract and document that is then going to be reviewed for performance against the document every single year by this Council for something the private sector has come to us and asked for and is going to run. So, you know, to say it's going to come back up in the June meeting, if that's the case, we, as a group, need to read it and we need to, I think, each give our input so it can get incorporated for the final document because we're not going to build this thing up on June 21<sup>st</sup> at a City Council meeting. It will take us forever, literally, forever. So, I would highly recommend let's get it distributed, let's get it in people's hands, read it, get your input, and then we all work together to do some form of a meeting that we can come and sit down in an open forum and build on it, so when it comes to us, you've got a pretty good idea of what's working and what isn't, what's going to fly and what isn't, rather than just, again, doing it behind sort of a tough spot we're in right now because we haven't actually seen it. We know the concept, we just don't know the details. One thing I will give you to put on, and this will not come as any surprise to you, Chris, or anyone, when it comes to Boards, diversity is really great, and less (members) is better than more."

Councilmember Shahid said, "Yes."

There was laughter in the Chamber.

Councilmember Seekings said, "Okay. So, those are the two things I would tell you. How you sort of do that, by the way, is going to be a challenge, but you should have a Board that is less people than are sitting around this table I would humbly suggest to you."

Mayor Pro Tem Brady said, "Anyone else? And I would note this item is just for discussion only. We are not taking action."

Councilmember Waring said, "I just have one question."

Mayor Pro Tem Brady recognized Councilmember Waring.

Councilmember Waring said, "Mr. Price."

There was laughter in the Chamber.

Mr. Price said, "I feel like I'm on the firing line tonight."

Councilmember Waring said, "No, I'm going to help you out."

Mr. Price said, "I did just fly in from Boston half an hour ago so."

Councilmember Waring said, "I'm going to help you out with this. In 2022, how do you even come up with bullet points?"

Mr. Price said, "I'm sorry."

Councilmember Waring said, "In 2022, how do you even come up with a bullet point, the second bullet point, and the third bullet point?"

Mr. Price said, "I think--"

Councilmember Waring said, "Don't answer the question."

Mr. Price said, "I think that was staff."

Councilmember Waring said, "Just carry that sentiment back to the Board."

Mr. Summerfield said, "Just say the lawyers, Chris."

Mr. Price said, "The lawyers."

Mr. Summerfield said, "The lawyers, a legal document."

Councilmember Waring said, "So, the lawyers came up with bullet point two and three?"

Mr. Summerfield said, "It went through the lawyers. I believe it actually came from what we saw in other agreements."

Councilmember Waring said, "Don't try to answer in all seriousness, but it's a question. I think you all will go back and do better. I have confidence. Thank you."

Mayor Pro Tem Brady recognized Councilmember Appel.

Councilmember Appel said, "I promise I'll make this brief. While we're wordsmithing Board makeup, I'm not so interested in someone who 'represents' a racial or ethnic minority or a woman. I'm actually interested in someone from a racial, ethnic, and woman profile. In other words, this 'represents,' I don't know what that means. I mean, I can imagine someone who can profess to represent a racial minority who is not a racial minority. So, let's just make sure we're actually inclusive as opposed to sort of looking like we're inclusive."

There was laughter in the Chamber.

Councilmember Appel said, "So, without being tokenism, let's do it the right way. Alright."

Mayor Pro Tem Brady said, "Alright. Would any other Councilmembers like to be heard on this item?"

No one else asked to speak.

Mayor Pro Tem Brady said, "Okay. Thank you. Thank you for the presentation."

Mr. Summerfield said, "Thank you."

Mayor Pro Tem Brady said, "Thank you for your responses. Alright. We are finally onto [Council Committee Reports](#), so I am going to turn it over to Councilmember Gregorie for the [Committee on Human Resources](#)."

Councilmember Gregorie said, "Mayor Pro Tem, can we just take a stand break? This is grueling as hell. Excuse me, but can we just stand for a minute? Just a break, a five-minute break. I just need to stretch."

Mayor Pro Tem Brady said, "Is that a motion to have a recess?"

Councilmember Gregorie said, "Yes, please, something."

Mayor Pro Tem Brady said, "Is there a second?"

Councilmember Sakran said, "I'll second."

Mayor Pro Tem Brady said, "Alright. I'll grant a [three-minute recess](#) if the Council is conducive to that."

Councilmember Gregorie said, "Thank you."

On a motion of Councilmember Gregorie, seconded by Councilmember Sakran, City Council voted unanimously to take a three-minute recess.

City Council recessed at 7:39 p.m.

City Council reconvened at 7:42 p.m.

Mayor Pro Tem Brady said, "Alright. Thank you for that suggestion, Councilmember Gregorie. It did feel good for everyone, maybe not including myself, to stand up, but if you would like to proceed with the [Committee on Human Resources Report](#)."

Councilmember Gregorie said, "The Committee on Human Resources met Thursday the 12<sup>th</sup> for about two-and-a-half to three hours, seriously, and I thought it was time well spent. We did an update on the healthcare budget, but we did go into Executive Session to discuss some issues relating to contractual negotiations. No decisions were made during the Executive Session, and when we came out of the Executive Session, there was no specific action taken on this item. Correct me if I'm wrong."

Ms. Copeland said, "No."

Councilmember Gregorie said, "Okay. What took most of the time, and which I thought was really, really a very good job from our Human Resources Department, is their discussion on the preliminary results of the Compensation Survey and Workforce Update. I can't remember the name of the person from Human Affairs that did it."

A Councilmember said, "Ryan Landry."

Councilmember Gregorie said, "Ryan was unbelievable in terms of his presentation, and I'm not going to even attempt to try to summarize it because I really think it would be great at some point if that kind of presentation is made to the body as a whole because we got into discussions with regard to comparisons of salaries with similar communities as ours for sworn as well as non-sworn employees. We got into trends in terms of retention, in terms of vacancy rates, where those vacancies rates occur, and potentially why they may be occurring, but, again, I think the discussion is worthy of, at least in a summary form of some sort, that that be presented to the body of the whole. We took no action on any of these items, and that concludes my report."

Mayor Pro Tem Brady said, "Thank you, Councilmember Gregorie. No questions? Alright. Great. We're going to move on to the [Committee on Community Development](#), Councilmember Mitchell."

Councilmember Mitchell said, "Yes. Community Development met on Thursday, May 19<sup>th</sup> at 3:00 p.m., and we had a couple of items there. The first, under New Business, we had a(i), a(ii), and a(iii), which was approved, and I would ask for approval on those three."

Councilmember Seekings said, "Second."

Mayor Pro Tem Brady said, "Alright. It's been moved and properly seconded for those three items. Is there any discussion on those three?"

No one asked to speak.

On a motion of Councilmember Mitchell, seconded by Councilmember Seekings, City Council voted unanimously to approve items a(i), a(ii), and a(iii) of the Committee on Community Development as presented:

**a. New Business:**

- (i) Certification of Abandoned Building Site – 95 Line Street/267 Coming Street  
(Resolution)
- (ii) Request for funds to support Affordable Housing
  - Gateway at Charleston Senior Housing, West Ashley
  - Archer School Senior Housing, Humanities Foundation, Peninsula Charleston
- (iii) Hope Center Budget and Amendment to Lease Agreement for use of the building at 529 Meeting Street

Councilmember Mitchell said, "And the rest on items a(iv), a(v), and a(vi), it was only for discussion, and it had an electronic presentation pertaining to the BAR in which Councilmember Sakran asked a lot of questions pertaining to that. There was a lot of discussion going on with that particular item. Councilmember Sakran mentioned that, and I mentioned it too, that during the time of the BAR, before they moved north of King Street, north of, yes, Line Street because they weren't there all of the time. Previously when I was on Council with my other colleagues, we were pulling it back so they would not come over it much, but it was going to happen, and that's when a lot of

individuals and even African American people lost their homes because they could not afford to repair their homes such as the BAR statute was, and that caused the area to gentrify a lot, which Councilmember Sakran had a couple of people that came to him for that same item.

Also, we had a presentation by Dr. Stevens who talked about heirs' property, and heirs' property was another problem that caused it to gentrify also. There are so many heirs, and you can't find some of the heirs, and heirs didn't work along with the other brothers and sisters, and that caused that problem also to be gentrified. We lost a lot of homes during that time in the African American community. So, there was a lot of discussion going on and a lot of information that we received during that time and even Councilmember Appel asked some questions also pertaining to the BAR and also with the heirs' property also. So we're just going to look at those things and probably might have to bring it back again, but right now it was only for discussion and presentation, and that concludes my report."

Mayor Pro Tem Brady said, "Alright. Thank you."

Mayor Pro Tem Brady recognized Councilmember Shahid.

Councilmember Shahid said, "As to Councilmember Mitchell's question and discussion on heirs' property, this is a suggestion. When I was the President of the Charleston County BAR Association, we did a clinic when we were addressing the Ashleyville/Maryville area in particular, making sure that residents executed their will, and we just took a bunch of attorneys, had a format for getting folks to come in. It was a two-part session. That would help to protect people's property rights when they die so it's a smooth transition upon their death and also to help at least start identifying the process of clearing up title to heirs' property. So, there is a mechanism, I'll just mention that to you, there is a mechanism available to local attorneys who we can consolidate and consult with to help address some of those issues, and it's a resource that we should take advantage of."

Councilmember Mitchell said, "Yes, I remember that, and I was doing a lot of that even when I was working for HUD. I kind of worked with a lot of individuals about heirs' property, but it's kind of hard sometimes dealing with them and trying to get them to do a will. It's not as easy as you think it is when it comes to a lot of people so, Dr. Stevens, she is the State Director?"

Geona Shaw Johnson said, "She is the Executive Director."

Councilmember Mitchell said, "She is the Executive Director, and she has handled a lot of the heirs' property over the State and she is doing a lot of that, bringing attorneys in, they have attorneys that work with that, too, and I know they had something on the television about attorneys who are assisting people with heirs' property and doing it free of charge, so, you know, if this comes back up again, I can have you come down and kind of explain some things, too."

Mayor Pro Tem Brady recognized Councilmember Gregorie.

Councilmember Gregorie said, "Yes, just a couple of things, if we refer back to the Special Commission on Equity and Inclusion, there is an extensive piece under the Affordable Housing portion that deals specifically with heirs' property. Some of what we just talked about is in there, but it's much more extensive in terms of the kinds of things that can be done and the kinds of things that the City can do to sort of move it along. And, if you will just bear with me for a minute, I think I was remiss in my report because we did, well, you're not finished. I'm sorry."

Councilmember Mitchell said, "This thing for the heirs' property, Dr. Stevens, who was there, she is still working a lot, and the Mayor spoke with her also because she was receiving funds from the City. I think it was only \$10,000 or \$15,000 the last time, so he advised her to make sure that she brings back some information about how many people that were served in the City of Charleston that when she submits for another grant or for information that we will know more and probably can try to assist them more so she can reach more people in the Tri-county. I mean, in the City of Charleston, so to speak, because you've got Johns Island, James Island, and different places in the City of Charleston, those are the types of things that we are working on also. Thank you."

Mayor Pro Tem Brady said, "And, Councilmember Gregorie, if you want to add something to your report, we can do it as soon as we conclude with this one because Councilmember Appel wanted to be recognized, and Sakran, and Waring."

Councilmember Gregorie said, "Sure."

Councilmember Appel said, "Thank you, Mr. Mayor Pro Tem. Just to briefly comment on the heirs' property piece, I asked that that item be put on the agenda due to an article I read in the *Post and Courier* a couple of months ago regarding Philadelphia and the work that that City has done to address the heirs' property issue over there and, of course, heirs' property is a very complicated issue. It involves issues at the State level, it involves County property tax administration issues, and we can't change any of those matters in the cheap seats that we occupy, but the City of Philadelphia established a fund, and they use that money to help facilitate title clearing functions, as Councilmember Shahid talked about, because it's expensive to actually litigate these issues. Obviously, the best practice is to get somebody to put together a will and to avoid the problem entirely, but when the problem exists, fixing it can be very complicated.

At that Community Development Committee meeting, we heard a lengthy presentation from our Community Development Department about all of the great work that's being done to fund and leverage limited affordable housing resources, and one of the statistics that was shown to us was that it costs the City of Charleston about \$60,000 to subsidize a single unit of affordable housing on the Peninsula. If we could fund a title clearing action for an African American family on the Peninsula for \$5,000, we can keep that property in the family and preserve generational wealth. You compare that \$5,000 to \$60,000 for one unit, it's not a question of either or, we need to be doing both, but that's a way we can further leverage limited funds and resources to having a better benefit and prevent the all too often scenario where heirs' property situations turn into a scenario where folks lose their property for sometimes pennies on the dollar, and it gets developed and further gentrified and things of that nature, so I'm very glad we were able to have the discussion.

The Center for Heirs' Property attended the meeting, the Executive Director, they are a wonderful organization that knows exactly what they're doing. She was asked during the meeting if her organization could use more funding and, as anybody who runs a non-profit would be expected to answer, she said, 'Of course,' so that is something that we can look at. You know, we just passed two or gave first reading this evening to two new MU rezonings. That's going to be further revenue streams most likely. If they pay the fee-in-lieu, we can dedicate a very small portion of that money to helping to underwrite some of these heirs' property issues, so I would just encourage folks to follow us along over at what we're doing in the CD Committee and, if there's enough support amongst my colleagues for doing something like this, I think we can make it happen and follow in the City of Philadelphia's footsteps and help some families stay in their homes on the Peninsula and off the Peninsula maybe even into West Ashley and elsewhere, so just wanted to give a little bit more background on that. Thank you, all."

Mayor Pro Tem Brady recognized Councilmember Sakran followed by Councilmember Waring.

Councilmember Sakran said, "Thank you, Mayor Pro Tem. I mean, I'm at a place where I'm waiting for HARCC to get established, and we're all trying to get that done. I hear the comments from folks in the community about where we are, but I will say our CD Committee meeting this past week was solely focused on issues that were embedded in HARCC. The two issues, one we just talked about, heirs' property, and the second issue that I just want to touch upon and kind of articulate to what Councilmember Mitchell talked about was the issue that we were discussing regarding BAR north of Line has been something that I've talked about with constituents on the campaign trail, constituents for the past two years, and it really is just the ability for our BAR demo purview to be a little more flexible. I've heard from eight family members, four of which were African American, we'll call them legacy owners, that have owned their home for years, went to the BAR for an improvement on a roof or window and came back it was too expensive, it was inflexible, they decided to move, and they left the Peninsula. So, here we are talking about redistricting, looking at our census numbers. My district in particular was 60/40 ten years ago, African American. It's now 40/60. I am not suggesting that this policy by BAR was the single-driving factor because it's not. It's one of the factors of why we've had the displacement in the community in terms of African Americans on the Peninsula, and it just doesn't affect the African American community. Certainly, at some point, if you're middle class, you're not going to be able to live downtown.

The reason I'm bringing this up, and I think that the Planning Department has done a great job of making the tweaks, and I want to say thanks to Mr. Summerfield, and Tori, and Amanda Herring, and Julia for all of the work on this. I think we've made the tweaks. It doesn't need to come back to Council, I'm going to let the policy work and see what happens, but the point was to make it a little bit more flexible, to give a menu of options for homeowners, and to essentially give them a more affordable option. I don't know if that's embedded in the new tweak. I've asked several times if we can use someone's income as a basis to make these decisions. I will say that when I read the policy statement, we talk about equity lens, right. We've talked about that for the better part of two years and, I think, and I will just say this flat-out, for those that are not in this work, when you hear equity lens, you really don't know what that means. I'm going to give an example of what it means to me. When I read the policy statement from BAR, it is focused on buildings and architecture. There is not one mention of our population, of our citizenry. How do we have a policy that does not acknowledge the effects that we have on our community? And this is just not African Americans, this is our citizenry. So, when we're talking about an equity lens, it's not just racial, it's equity for everybody in our community, White, Black, Hispanic, Yellow, it doesn't matter, so the reason I brought that up was I do think that there's a path forward for us to make the tweak to the policy.

I'm not trying to abolish BAR. I've gotten many calls from the constituents concerned that I'm trying to dismantle BAR, and that's not the case. I'm also certainly not trying to turn over properties to developers so they can flip. It's not for them, it's for our legacy homeowners, White and Black, that are living in a home they can no longer afford to make the repairs that they need. So, hopefully, the policy will bear fruit, and we'll see how it works and if we need to bring it back to Council for additional consideration, we will, but I just want to thank the Planning Department for making those changes, and that was why it was on the agenda. So, thank you for this time, Mayor Pro Tem."

Mayor Pro Tem Brady said, "Thank you, Councilmember."

Mayor Pro Tem Brady recognized Councilmember Waring.

Councilmember Waring said, "Thank you, Mr. Mayor Pro Tem. These two gentlemen brought an enormous amount of information with their comments at Community Development. I mean, I was just flat-out proud of them. Normally, they brought an aspect that, as an African American, we have to bring, but they have the wide perspective. Great suggestions, but normally what happens is great suggestions get in the minutes at Community Development, and it dies. There have been a number of times that Councilmember Appel has brought great ideas from modifying our Zoning Ordinance, but there are no action steps. I actually tweeted or chatted or whatever with him afterwards. These examples of, Councilmember Sakran says legacy, if I lived on the north side of town in this particular district that the BAR has now stretched, and I have rotted windows, some of the products that are available today in the way of insulated glass weren't available 50 years ago or 75 years ago, but the BAR is going to come and tell you about a single-pane option. I'm convinced if those people, 50 years ago, had the insulated glass that we have today, they would put some insulated glass in their homes. It would have been more energy efficient. Compliant with energy efficiency, in some cases, goes against the grain of the BAR, but to the family that's paying a high utility bill, they would like to have that higher factor. That's just a direct conflict. A discussion with Councilmember Sakran came up with that.

I would like to plead on behalf of the Council and these members that we get to an action step. Get to the action step on vetting out our Zoning Ordinances. I mean, a couple of years ago now I brought up the 75% rule and almost got crucified, frankly, behind it. If you change the 75% rule, what that was for the new people on Council, if the Zoning Board voted against you, we appoint the Zoning Commission, if they voted against a zoning issue, when it came to Council, it took 10 out of 13 elected officials to overrule a Committee that we appointed. Now, that rule had been in place since the late 1930s and to change that rule, I'm telling you, it took an act of Congress and a lot of money spent on my opponent by others trying to defeat me, to close that voice from being in this microphone. Well, this change, they said, 'Oh, it's going to destroy the City of Charleston.' I don't know whether you can count them on your hands how many times we've overruled our Planning Commission. I have too many fingers since that rule has changed, but it made our City more inclusive. There are a ton of things like that in our Zoning Commission and our Zoning Ordinance that's just financially discriminatory. If I want to get a change to a lock by, I think when you were on the BZA, I needed a two-and-a-half inch, no, it was 16 inches, to create another one, a 16 in. frontage difference. Now, if that Board had voted against me, I would have to take City Hall to court, the City I love to court. I couldn't come back in front of any of the people that appointed those Commission members that would have made that, but that is anti-small person, anti-low to moderate income, and it's getting to the point of anti-middle income, but that's embedded in our ordinances. It just shouldn't be that way, but there are a ton of things like that that raise the cost of doing business for Ms. Shaw Johnson and her team with affordable housing.

We have a piece now that if you have over a four lot subdivision, you undergo the same requirements for approval for that subdivision that if somebody's building 200 houses. If somebody's building 200 houses, believe me, they've got a lot of hoops to jump. Again, you hear me talk about infill for affordable housing, West Ashley, James Island, Johns Island, in particular, there are great opportunities for that, but if you try to have a piece of property and subdivide eight lots, you've got to go through the engineering, the stormwater drainage etc. that somebody's doing 200. Those guys that came in here from Cainhoy that had how many acres, was it 9,000 acres? You have to go through almost the same process. It's just ridiculous, and we have the brain power around the table that can contribute with others and, of course, our Planning Department, that can make effective change, and I mean soon, not later, soon. So, hopefully, some of these good conversations won't end with being buried in the minutes. The action steps, hopefully, we can

come back at next Council with a proposal for some of these action steps to be implemented. Thank you, Mr. Mayor Pro Tem.”

Mayor Pro Tem Brady said, “Thank you, Councilmember Waring. So, I’d like to just ask unanimous consent that we move so that Councilmember Gregorie can add his addendum, and we can continue to move if there’s not an objection.”

No one asked to speak.

Mayor Pro Tem Brady said, “Alright. [Councilmember Gregorie, you had an addendum to your report?](#)”

Councilmember Waring said, “We need to vote on that right?”

Mayor Pro Tem Brady said, “Yes, items (i), (ii), and (iii) were already voted on, and then the rest was for information.”

Councilmember Waring said, “Thank you.”

Councilmember Gregorie said, “Yes, the more we talk, the more I see how important HARCC is then because a lot of what we’re talking about are recommendations in HARCC. What I wanted to do is to sort of clean up a bit on my report because we did vote on a Benefits Administrator, and that was voted on unanimously and that came out, correct, that was done with all of the Committee. So that’s something that the body as a whole needs to vote on, the recommendation for us to have a Benefits Coordinator. That’s a motion.”

Councilmember Waring said, “Second.”

Mayor Pro Tem Brady said, “Alright. It’s been properly moved and seconded. Is there any further discussion on Councilmember Gregorie’s addendum to the HR Committee Report?”

Mayor Pro Tem Brady recognized Councilmember Waring.

Councilmember Waring said, “Not on the motion.”

Mayor Pro Tem Brady said, “Okay.”

On a motion of Councilmember Gregorie, seconded by Councilmember Waring, City Council voted unanimously to approve item 1b(i) of the Committee on Human Resource Report:

- b. New Business:** (i) Update on Selection Committee Results and Approval of Benefits Administration System Administrator Committee may go into Executive Session to discuss matters incident to proposed contractual negotiations pursuant to S.C. Code Sec. 30-4-40(a)(5) and may take action after reconvening.

Mayor Pro Tem Brady recognized Councilmember Waring.

Councilmember Waring said, “Thank you, Mr. Mayor Pro Tem. There was another aspect to the Human Resources Commission, that salary comparison that was done, the Chairman was right, it was outstanding. Great work worthy of waiting on, but I, along with a couple of

Councilmembers, had an opportunity to see some of the pay grid and comparisons that some of the firemen had put together, and I have to be frank about it, it wasn't a whole lot of difference. The overtime piece is an issue. I brought that up to Human Resources and one of the pieces on that was to get our person that did the study, our CFO, together to vet out the differences between what the numbers that the firemen are showing and the differences between, I see Mr. Jerue nodding his head because he's right, the nuances that are different because it's just too much closeness there that we can actually get a workable solution. One thing, and I'm not alone in this, the firemen have been just exemplary in being gentlemanly, I should say, in bringing this issue forward. You see the signs in our neighborhood in support. It's in your neighborhood, as well, 'support our firefighters,' and everybody on this Council wants to do that. That discussion, I don't know if they were online when that was being held, the Mayor and all were there, it was a very hearty discussion and the will to make meaningful changes there, and I think we'll get there, but that was part of that Human Resources Committee meeting that should be shared amongst all. Thank you, Mr. Mayor Pro Tem."

Mayor Pro Tem Brady said, "Thank you, Councilmember Waring. I was there, as well, as it was very insightful. Moving to the [Committee on Public Works and Utilities](#). Councilmember Waring, I know you are the Chair, but since Councilmember Shahid had chaired that meeting, I was wondering if you wouldn't mind if I go to him."

Councilmember Waring said, "I don't think you saw this, but Councilmember Parker had her hand up."

Mayor Pro Tem Brady recognized Councilmember Parker.

Councilmember Parker said, "It's okay. Thank you. I know we kind of circled back to Human Resources, so I just wanted to jump in. Again, great discussion, but like you were just saying, Councilmember Waring, I was curious, like you said when it sits in Committee, we've now seen the great survey. What's next? You know, when do we decide, out of that, what strategy we're going to implement as far as compensation for our workforce?"

Mayor Pro Tem Brady recognized Councilmember Gregorie.

Councilmember Gregorie said, "Yes, I think that's a fair question because you're correct sometimes things get lost in Committee and never come before the body of the whole, but the issues that we're dealing with particularly as it relates to salaries for our firefighters, trust me, that will come out of Committee, and a recommendation will be made to the body of a whole. As for some of the other issues that may surround salary etcetera, not necessarily for our firefighters but in general, those are also budgetary issues that would be discussed during the Ad Hoc Budget Committee. That is not to say, however, that a recommendation couldn't come from Human Resources to the Ad Hoc Budget Committee. Just as we were talking yesterday about the salary issues with respect to Recreation and the fact that we can't get people to do x, y, z, again, that is something that can come out of Committee, come to the body of a whole, and have a discussion, again, in the Ad Hoc Committee as we go forward with the 2023 budget, so you're absolutely correct."

Councilmember Parker said, "Perfect. Thank you."

Councilmember Gregorie said, "And I think that you need to keep saying that because I have some things stuck in Committee right now that I'd like to get out of Committee, as well. Thank you for that question."

Mayor Pro Tem Brady said, "Alright. Thank you for that, and as I just mentioned, Councilmember Waring, would you mind since Councilmember Shahid--"

Councilmember Waring said, "Listen, I just want everybody to know about the talent we have in the Vice-Chair on Public Works."

There was laughter in the Chamber.

Councilmember Shahid said, "You know, I had to pitch in twice yesterday for Councilmember Appel on the annexation and then pick up your slack, as well, but glad to do it, glad to be on the bench. The Public Services Department Committee met yesterday afternoon. We received a wonderful report from Matt Alltop. I believe that everybody, I would suspect, has some issues with the re-pickup that's been delayed, and God bless Matt and Tom O'Brien for their attention to all of this, but Matt gave us an update on two systems. One is the current Claw and Scow Pick-up System, and we're transitioning a Knuckle and Claw System and, as we go through this process, the savings on these would include savings on employment, personnel savings, maintenance on these equipment, and on gas, and it totaled up to about a half million dollar savings as we transition from one type of claw and scow to the knuckle and claw, so it was a good report on that.

We also got an update from Matt Fountain, and I see Matt over there hiding as to the small project allocation. We're moving along with that. As you know, we've allocated a million dollars for the small project allocation. The money has been identified for 2021, 2022 all the way through 2024 essentially. That's pretty much it, but we have several projects that are in progress that are sort of bleeding over from one year to another. Finally, he gave us a, I would say a Reader's Digest version, on the Spring/Fishburne update, and I'm not going to rehash all of that, but I think the new members of Council, some of the things that Matt said, was just worth noting, and I'm going to probably misstate this, but upon completion of Phase 4, a 500% increase in drainage water flow out and after Phase 5, a 1,000% increase, and that's just an incredible project. It's almost a \$200 million dollar project overall, but moving that water out of our central spine on Septima Clark Parkway is such a critical part. One of the things that we overlook, Matt brought this out yesterday, is just the collateral benefit of all of this was the beautification of that parkway that we have been able to accomplish. It's a story that has been told quite a few times, which was okay, but it was good to hear it again and, Matt, thank you for that update on that. Finally, we had an approval of a permanent encroachment permit regarding the Ralph H. Johnson VA Health Care System. There was some discussion about this as they're proceeding with some improvements over in that area. We approved that unanimously, and I would ask that we adopt item I-1 for this Council's approval."

Councilmember Shealy said, "Second."

Councilmember Shahid said, "And that is my report on behalf of the Chairman."

Mayor Pro Tem Brady said, "Alright. It's been moved and properly seconded for the adoption of that item. Is there any discussion on that motion?"

No one asked to speak.

On a motion of Councilmember Shahid, seconded by Councilmember Shealy, City Council voted unanimously to approve item K3(c) of the Committee on Public Works and Utilities as presented:

c. Miscellaneous Business:

Approval of a permanent encroachment permit to the Ralph H. Johnson VA Health Care System, specific to the parking garage project currently underway, and subject to the approval as to form by City staff and Legal Department.

Mayor Pro Tem Brady said, "Alright. The Committee on--"

Mayor Pro Tem Brady recognized Councilmember Parker.

Councilmember Parker said, "Thank you, Mayor Pro Tem. So, you all, I just need to really, I know that everyone's probably feeling the pinch like as we've just discussed. I mean, the trash service is certainly struggling right now, and I know that Matt Alltop, Tom O'Brien, our Environmental Services crew, no doubt, are working twice as hard. I'm like a recorder when I say to all of my constituents we have twice as much tonnage, we have equipment down, and we are understaffed. Again, this is why I go back to pay because in a department, as we'll talk about next, you know, Recreation, but specifically trash, if we cannot complete this government service for our citizens, I certainly think it's an issue. I just feel like we don't talk enough in this, we, a lot of important stuff goes on in this room every night, or every other Tuesday, but this is certainly an area that I think we need to have a little more discussion on. Like you said, I don't want to see it have to wait another whole year, another budget cycle, if there are improvements that can be made now. I'm asking you all for what, you know, what could we do, what can we do, for this department? Once again, I just, I certainly think that if they're understaffed, underpaid, equipment's down, I just hope that there's support. Again, the presentation was for information only, and it's phenomenal, but it seems like it's going to take a little while to implement some of those strategies, and we are quite behind on this specific service, so I just kind of want to continue to talk about it. There's clearly a national crisis going on with hiring, but we need to start really taking, you know, as a municipality just figure out how we are going to solve that problem, specifically for trash, because this should be a top priority item. So, thank you."

Mayor Pro Tem Brady said, "Thank you."

Mayor Pro Tem Brady recognized Councilmember Sakran.

Councilmember Sakran said, "Thank you, Mayor Pro Tem. Councilmember Parker and I heard a very similar plight yesterday at our Recreation Committee meeting, and I would just say I agree with her 100%. The longer we wait, the dire the challenge is. So, one of the things we talked about yesterday in the Recreation Committee was having a HR strategy specifically focused on part-time, but our hourly workers, which includes our folks over in Public Service, folks in Recreation, so I just want to echo those comments. I don't know what the path forward is. I'm not sure if that comes through HR, but we can't continue to wait. I mean, it's got to be addressed, and I'm not sure if there is something we can do financially. I'm not sure if it's just a staffing issue. I think, you know, a lot of folks say there's just not enough people applying, that it's not such an hourly rate issue. So, if we bump up the hourly rates, is that going to help? I don't have the answers, but I do want to echo that we should address this and not wait until next year."

Mayor Pro Tem Brady said, "Alright. Yes."

Mayor Pro Tem Brady recognized Councilmember Shahid.

Councilmember Shahid said, “And the comments are dead on point and, if we can’t even do our basic services of picking up trash and, you know, Councilmember Shealy’s going to give us a report on Recreation, and we just can’t do our basic services, it is a reflection on our ability to provide for our citizens. It’s money, it’s money, it’s money. The equipment is being replaced gradually as the old equipment goes out of service and we bring in the new service. It’s going to improve tremendously, and it’s going to have a savings at the same time, but getting folks out there, and this is the number one problem, it’s employees. I’ve given reports about Turn90, it used to be called Turning Leaf, now it’s Turn90. Some of our best employees are those folks who come out of that program, former convicts. They’re out there working. They work in our Parks Department. They work in the Public Works Department, and we can’t turn those guys out fast enough to get them over here, but it is a huge issue.

There’s not a silver bullet solution to that, but we’ve got to be proactive on this. The faster we address these issues the better. I wish I had an answer to give everybody tonight, but we’ve got to stay ahead of the game on this thing. One of the things that we can do a whole lot better, and I’ve brought this up several times, we have a device on our phone, it’s called an app. We have a City App on there, and if we can just notify our citizens when there is going to be a delay, that alleviates a lot of the issues that we’ve been dealing with. That app is not up to date. I looked at the app today, this morning, and I noticed Councilmember for District #1 still shows Marie Delcioppo, Harry Griffin, and Carol Jackson. We’re not using the technology that we have available to get the word out that, you know, we have an issue that we can’t pick up the trash today. My constituents, most of it is just frustration because they work on the weekends, they haul their stuff to the curb, and Wednesday it’s still there. They expect it to be picked up on Mondays, and I don’t blame them. I’d be a little pissed off about it, as well. Sorry. My bad. I’d be upset about it, as well, but if we just can communicate to the world or our constituents better, that helps us, but in the meantime, we’ve got to come up with an answer to address these things, as well.”

Mayor Pro Tem Brady said, “Alright. Councilmember Shealy has been waiting patiently in the bull pen.”

There was laughter in the Chamber.

Mayor Pro Tem Brady said, “So, I’d like to call on him for the [Committee on Recreation Report](#) since it is germane to what everyone is talking about, as well.”

Councilmember Shealy said, “Thank you, Mr. Mayor Pro Tem. The Recreation Committee met yesterday at 4:00 p.m., and we had two members of the Lowcountry Tennis Association give a presentation on our tennis centers. The Lowcountry Tennis Association has experienced some growing pains. The good news is, I guess, that they’ve increased by 500 new tennis players and 50 more teams registered in 2022 in the Lowcountry Tennis Association, and a lot of those included juniors. In 2012, the City had taken over the Maybank Tennis Center, and five courts were added, but there was no lighting on those courts, and there are still no lights. They were saying that lights would help alleviate some overcrowding that they’re seeing in the tennis center over there. They came up with some approximate costs for lights on the courts, anywhere, per court, \$22,000 to \$28,000. That doesn’t include the wiring and labor. They received a couple of bids, one of them about \$283,000, one \$219,000, for sports lighting, and they’re asking if the City will please provide funding for insulation of lights on the existing five clay courts there over at the Maybank Tennis Center. They also asked that we’ll vote for the

Park and Recreation Master Plan, and they're saying that they're not just looking for a handout, but they're also working to help with funding. They're hopeful they're going to receive the Facility Services Grant from the U.S.T.A., and they also have members who are willing to go out and get sponsorships and donations to help.

Moving on to our Aquatics update, and this is some of what some of our other Councilmembers were talking about, just as in other areas around the Country, they're having trouble finding employees, particularly lifeguards, but they've recently closed the gap, and all four of our swimming pools will be open for Memorial Day. We'll probably have to close for a couple of days after Memorial Day until some of these lifeguards are able to get out of school and go to work as lifeguards during the summer. So, all pools will be open starting the week of June 6<sup>th</sup>, but there is not enough water safety instructors, so we will not have swim lessons this summer, unfortunately. So, the new schedule for pools, you will be able to see that on the website. If you know anybody that's 16 or older that would like to lifeguard, please send them to the City Recreation website or call the Recreation Department because we're still looking for lifeguards, and we'd like to fill as many of those positions as possible. We will pay for their certification, we will pay them while they're going through training, and we'll give them a \$200 bonus, so a pretty good deal if you have kids that are 16 or older that might like to lifeguard.

Jason Kronsberg gave us a recap on the Master Plan, and we're now starting the implementation phase. We'll be re-engaging with the consultant team, and we will come up with several recommendations on how to fund these items. We'll prioritize what we can do in the next five to ten years, and then we'll look at the big list. Laurie and Jason will bring back a list of projects in about a month so we can determine a way to move those forward and how to fund it. Laurie also gave us an update on our Enterprise Manager position. It was narrowed down to three candidates, and we have now made an offer. We are waiting to hear back from that candidate, so, hopefully, we'll hear that soon.

Jason gave us an update on Carr-Richardson Park. We're looking at the end of July or maybe early August for that park to open and it's going to be an outstanding park, you all. Jason and his team have done a great, great job on that. There is also a fraternity that's looking at ways to recognize people who have grown up in the historic Ashleyville and Maryville communities who have done great things in our community, and so looking forward to seeing some of that.

A report on Fort Pemberton, there was a community meeting that was held in March. There was over 100 people that attended, and they gave great, positive feedback. Of course, Fort Pemberton is going to be a passive park. It's about 6½ acres. It's got a few parking spots. There will be some historical interpretation, an open field, and very importantly, open water access, front water access, there at that park, as well. So, we're also hoping to hear back on a \$260,000 grant application and, hopefully, we'll hear back from that in late July or early August and, hopefully, we'll receive that grant. Stoney Field is also progressing very nicely and a lot of work being done there, so that concludes my report, Mayor Pro Tem."

Mayor Pro Tem Brady said, "Thank you, Councilmember Shealy. Does anyone have anything on that one?"

Mayor Pro Tem Brady recognized Councilmember Shahid followed by Councilmember Parker.

Councilmember Shahid said, "Yes, just on the tennis center, I mentioned this, yesterday I joined the meeting, and I've been in contact with Laurie and Jason about upgrading the lighting or replacing the lighting at the Charleston Tennis Center. I just want to go back to that very first item we discussed today as the abandonment of that property on Eighth and Third Street. If anybody has not yet been out to the Carr-Richardson area, you need to go out there. If we had abandoned and turned over that land a year ago, or five years ago, or ten years ago, we would not be having that park. So, I'd just remind us that we made the right decision on that, and the Carr-Richardson Park is a perfect example of how we hold onto access to water because that little spit that goes out that runs perpendicular to, parallel to, Higgins Pier is just magnificent, and I'm glad we made the decision that we did. Thank you."

Mayor Pro Tem Brady said, "Thank you, Councilmember."

Mayor Pro Tem Brady recognized Councilmember Parker.

Councilmember Parker said, "Thank you, Mayor Pro Tem. So, again, back to sort of just reiterating our sort of poor services, I was really disappointed when I pulled up to my rec center on James Island and saw that there weren't going to be any swim lessons this summer. I certainly, you know, trash collection, our Environmental Service workers, things like that are a much higher priority, but I also think in a City surrounded by water, these resources, these City services, residents really rely on this. Small children, these are affordable places to take swim lessons. Not everybody can go to the private organizations and do it. So, I think Laurie said something, you know, I know on James Island families wait four hours in line to get into these swim lessons, so it's just another item that I really, really want to see our City prioritize for our citizens, our families. I think they're really important. I continue, my family, we support our recreation center. We're there all of the time. We do what we can, but obviously, their hands are tied with what they have, so I just kind of wanted to put that out there. Thank you, all."

Mayor Pro Tem Brady said, "Thank you, Councilmember."

Mayor Pro Tem Brady recognized Councilmember Waring.

Councilmember Waring said, "Thank you, Mr. Mayor Pro Tem. Listen, I don't think we ought to accept the decision that we don't have swim lessons or anything like that this summer. That's why those issues are supposed to come before this body including the Mayor. I don't believe that North Charleston's not having a program, I don't believe Mt. Pleasant is not having a program, I don't believe the City of Columbia is not having a program. Now, maybe based on the tasks in front of our staff right now they may need some help to get that done, and this is the place to get it. So, I think we need to, in the interim, in the next two weeks before now and the Council meeting, get with Ms. Yarbrough and her team to find out what's needed to do that. If it's more money to get it done, we're going to find a way to get it done, but when kids don't get swim lessons, that leads to, quite frankly, death in some cases. Every summer some child, we all know the story. The quality of life, anything that hurts a family or quality of life during the summertime, we should be able to fix that. Thank you, Mr. Mayor Pro Tem."

Mayor Pro Tem Brady said, "Thank you, Councilmember."

Councilmember Waring said, "And one other thing I want to add to the program--"

Mayor Pro Tem Brady said, "Please proceed."

Councilmember Waring said, “The Carr-Richardson Park, thank you so much on staff and Council. Again, people new to Council, we voted for eminent domain, eminent domain to get that property and keep it in the public realm. Please accept the invitation to go over and look. It gives the best view of the replica of the adventure at Charles Towne Landing for any public view that I know of, and I would like to have added to Recreation, Councilmember Mitchell, the WPAL Park. We have \$1.5 million that’s been parked for renovations that would be the first public park in the City of Charleston at least from the West Ashley side to the Stono River. The Stono River is a long river. The City went out of its way during the Riley administration to buy that property with Tourism dollars. During Mayor Tecklenburg, we set aside \$1 million, the next year we came and set aside another \$500,000. We protected those monies during COVID. Now, as we approach our budget cycle coming up for 2023, things have improved. We definitely should have appropriated enough money to complete the WPAL Park. It’s a wonderful asset and, again, so Councilmember Appel, Mr. Mayor Pro Tem, you all share that, and the people in District #7 would like to enjoy that park.”

Mayor Pro Tem Brady said, “That’s right. Alright. Thank you, Councilmember. If there is nothing else further, we have the [Committee on Ways and Means](#) coming up next.”

Councilmember Seekings said, “Move for approval.”

Councilmember Mitchell said, “Second.”

Mayor Pro Tem Brady said, “It has been moved and properly seconded to accept the Committee on Ways and Means Report. Is there any discussion?”

No one asked to speak.

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

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

(Bids and Purchases

(Human Resources Department: Approval of the Benefits Administration System contract with Workplace Solutions in the amount of \$70,648, in a form approved by the City legal department. Workplace Solutions was approved by the HR Committee on May 12, 2022 as the City’s new Benefits Administrator System vendor. This is for Budget Year 2023. Approval is requested now so that the City can meet the implementation for Open Enrollment in October 2022.

(Housing and Community Development: Mayor and City Council approval is requested to allocate funding to the City of Charleston temporary HOPE Center at 529 Meeting Street in the amount of \$155,494. The budget reflects up-front and annual costs to operate the Center. The HOPE Center will provide services to those who are unsheltered and are at risk of becoming unsheltered in the Charleston community. The budget is attached. Funding will come from various sources. By approving this budget, Council is approving the use of \$65,031 in American Rescue Plan funds for various one-time expenditures related to the Center, \$34,170.52 in CDBG-CV funds, and a budget transfer of \$56,292.48 from non-departmental expenses in the general fund. The non-departmental expenses include \$48,000 that was previously budgeted for the Center and \$8,292.48 from contingencies. All of this will be included in future budget amendments. In addition, this will impact future budgets. Estimated impact of the 2023 budget is approximately \$155,000.

- (Housing and Community Development: Mayor and City Council are requested to approve \$543,000 to The Gateway Companies for the development of sixty-nine (69) senior, affordable rental apartments in the West Ashley community for persons earning sixty (60%) percent and below the Area Median Income. Funding would come from the balance of the General Obligation Bond approved in November 2017. The developer has experienced increased costs on the project leaving a financial gap; City funding would fill that financing gap.
- (Housing and Community Development: Mayor and City Council are asked to approve an amendment to the award of \$4,000,000 to Humanities Foundation from \$4,000,000 to \$4,487,782. The funds were awarded from the General Obligation Bond approved in November 2017; committed in 2019; awarded in 2020. The developer has experienced increased costs due to interest rate spikes in interim and permanent construction financing, construction and increased flood insurance costs. The initial development budget was \$29M; the current development budget is \$42M. This development helps to meet the critical needs for affordably priced senior rental housing in the City of Charleston.
- (Police Department: Approval of an agreement between Charleston Dorchester Mental Health Center (CDMHC) and Charleston Police Department (CPD), in the amount of \$20,000, for one full-time mental health professional to provide mental health service to children and families in domestic violence cases.
- (Office of Cultural Affairs: Approval to accept a grant award of \$17,500 from the National Endowment for the Arts Big Read, a partnership with Arts Midwest, to support community literary events. A 1:1 City match is required. Funding will come from private donations.
- (Request approval for the Mayor to execute a Memorandum of Understanding between the City of Charleston and the Anson Burial Memorial Project Committee.
- (Request authorization for the Mayor to execute, on behalf of the City of Charleston, the Amended Lease Agreement between KQC Investors, LLC and the City of Charleston, extending the term of the lease to April 30, 2023. (529 Meeting Street, SC 29401)
- (Please consider the following annexation:
- 2863 Maybank Highway (1.83 acre) (TMS# 313-00-00-135 and 138), Johns Island, (District 5). The property is owned by Mabank Group LLC. ***(Councilmember Appel recused himself from voting on this item and completed a Conflict of Interest Form which is on file in the Office of the Clerk of Council.)***

First reading was given to the following bill:

*An ordinance to provide for the annexation of property known as 2863 Maybank Highway (approximately 1.83 acre) (TMS# 313-00-00-135 and 138), Johns Island, 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 Maybank Group LLC.*

Mayor Pro Tem Brady said, "We now have [bills up for second reading.](#)"

Councilmember Mitchell said, "1 through 5, I move for approval."

Councilmember Shealy said, "Second."

The Clerk said, "1 through 4."

Councilmember Mitchell said, "1 through 4."

Mayor Pro Tem Brady said, "Yes. Thank you. It is 1 through 4, so we will take items 1 through 4. It has been moved and properly seconded. Is there any discussion on bills up for second reading?"

No one asked to speak.

Mayor Pro Tem Brady said, "Now, in this fun little tidbit, this is the actual language, 'Shall these bills pass, the title thereof be changed to an ordinance and be ordered engrossed for ratification. 1 through 4, okay, is there a second? This is just for everybody's edification. It is in the Municipal Code.'"

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

**2022 – 073** - AN ORDINANCE TO MAKE ADDITIONAL APPROPRIATIONS TO MEET THE LIABILITIES OF THE CITY OF CHARLESTON FOR THE FISCAL YEAR ENDING DECEMBER 31, 2021.

**2022 – 074** - AN ORDINANCE TO RECOGNIZE THE USAGE OF ADDITIONAL FUNDS TO MEET ADDITIONAL APPROPRIATIONS AUTHORIZED BY ORDINANCE 2022-073 FOR THE FISCAL YEAR ENDING DECEMBER 31, 2021.

**2022 – 075** - AN ORDINANCE FOR THE ISSUANCE AND SALE OF WATERWORKS AND SEWER SYSTEM REVENUE BONDS OF THE CITY OF CHARLESTON IN ONE OR MORE SERIES IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING \$170,000,000 AND OTHER MATTERS RELATING THERETO.

**2022 – 076** - AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY KNOWN AS 2157 FORT PEMBERTON DRIVE (.24 ACRE) (TMS# 343-01-00-104), JAMES ISLAND, CHARLESTON COUNTY, TO THE CITY OF CHARLESTON, SHOWN WITHIN THE AREA ANNEXED UPON A MAP ATTACHED HERETO AND MAKE IT PART OF DISTRICT 11. THE PROPERTY IS OWNED BY JACK NARUSEVICH AND JENNIFER MOEGGENBERG.

Mayor Pro Tem Brady said, "We now have [bills up for first reading.](#)"

Mayor Pro Tem Brady recognized Councilmember Appel.

Councilmember Appel said, "I just need to note for the record I have to recuse from M-1. Thank you."

Mayor Pro Tem Brady said, "Alright. Please note that Councilmember Appel has recused himself from M-1."

Councilmember Mitchell said, "Approval of 1 through 3."

Councilmember Seekings said, "Second."

Mayor Pro Tem Brady said, "Alright. It has been moved and properly seconded to adopt items 1 through 3. Is there any discussion while I sit here and sign these?"

No one asked to speak.

On a motion of Councilmember Mitchell, seconded by Councilmember Seekings, City Council voted 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 2863 Maybank Highway (Johns Island) (approximately 1.83 acres) (TMS #313-00-00-135 and 138) (Council District 5), be zoned General Business (GB) classification. The property is owned by Maybank Group LLC.*

*An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 810 Meeting Street (Upper Peninsula) (approximately 0.46 acre) (TMS #461-09-01-010) (Council District 4), be rezoned from the 6 Old City Height District classification to the 4-12 Old City Height District classification. The property is owned by TMG 810 Meeting Street LLC.*

*An ordinance to amend Article 3 (Site Regulations), Part 2 (Old City Height Districts and View Corridor Protection) of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) to amend Sec. 54-306.l. - Height District 85/200, Sec. 54-306.m. - Height District 85/125, and Sec. 54-306.n. - Height District 85/30; and add new Sec. 54-306.y. - Height District 85/125w and Sec. 54-306.z. - Height District 85/30w.*

Councilmember Appel recused himself from voting on Item M-1 and completed a Conflict of Interest Form, which is on file in the Office of the Clerk of Council.

Mayor Pro Tem Brady said, "Alright. If you will give me just a few seconds."

Councilmember Shahid said, "We need to give our Mayor Pro Tem a round of applause."

There was applause in the Chamber.

Mayor Pro Tem Brady said, "We need to stay in session for a few more minutes while I sign these."

Councilmember Waring said, "I believe Mayor Tecklenburg has his hand up."

Mayor Pro Tem Brady said, "I'm sorry."

Councilmember Waring said, "Mayor Tecklenburg."

Mayor Pro Tem Brady recognized Mayor Tecklenburg.

Mayor Tecklenburg said, "I may have missed it, what Council just said, but, Mayor Pro Tem, I was going to commend you on doing such a fine job in leading the meeting tonight. Congratulations and thank you."

Mayor Pro Tem Brady said, "Thank you. We should note that the next regular meeting of City Council will be our June meeting, which will be June 21<sup>st</sup>."

Councilmember Mitchell said, "Third Tuesday."

Mayor Pro Tem Brady said, "And that will be in a few weeks. So, now, I will entertain my favorite motion for adjournment."

Councilmember Mitchell said, "Move for adjournment."

Councilmember Appel said, "Second."

Mayor Pro Tem Brady said, "Alright. It has been moved and seconded to adjourn. See you guys next time by acclamation. Have a good night. Drive home safe."

There being no further business, the meeting was adjourned at 8:34 p.m.

Jennifer B. Cook  
Clerk of Council