

## COUNCIL CHAMBER

Regular Meeting

June 18, 2019

The seventy-seventh meeting of the City Council of Charleston was held this date convening at 3:08 p.m. at City Hall.

A notice of this meeting and an agenda were mailed to the news media June 12, 2019 and appeared in The Post and Courier June 16, 2019 and are made available on the City's website.

### PRESENT (12)

The Honorable John J. Tecklenburg, Mayor

Councilmember White	District 1	Councilmember Waring	District 7
Councilmember Shealy	District 2	Councilmember Seekings	District 8
Councilmember Lewis	District 3	Councilmember Shahid	District 9
Councilmember Mitchell	District 4	Councilmember Griffin	District 10
Councilmember Wagner	District 5	Councilmember Moody	District 11
Councilmember Gregorie -- <i>absent</i>	District 6	Councilmember Jackson	District 12

Mayor Tecklenburg called the meeting to order at 3:08 p.m.

The Clerk called the roll.

Mayor Tecklenburg said, "Now, if you would like to join us, Councilmember White will lead us in a prayer and the Pledge of Allegiance."

Councilmember White said, "If we could all just take a few moments. We, over the years, have had a number of tragic incidents occur in and around this period of time of the year at Emanuel AME Church, as well as tonight we will be at the memorial for the firefighters who we lost as well, the Charleston 9. So, I would ask that we all just take a moment if we can and remember them, remember their families, and let the Lord be with them during this period of time."

Councilmember White opened the meeting with a moment of silence.

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

Mayor Tecklenburg said, "Alright. Thank you all for being with us this afternoon and thanks to Council for accommodating your schedule to meet early so that we can all attempt to be at the Charleston 9 Memorial Service this evening at 7:00 p.m. which is at 1807 Savannah Highway. It does start promptly at 7:00 p.m. Before we start, and I know most folks know this but, just in the very most unlikely event that we would need to evacuate the premises, these are our two main exit doors out of this room. There is one exit door to the room on my right and then if that were to occur, please do not use the elevator, but take the two stairways down and then the one

stairway out the front. It's very unlikely that would occur, but just so everybody knows their way out in case we need to get out of here quickly.

So, first I'd like to share with you all a proclamation regarding National Homeownership Month. I'd like to ask James Meadors, Adel Bordon, Councilmember Mitchell, and Geona Shaw Johnson if you all are here to join me up here on the podium. Each year the City of Charleston, along with the Federal Government, recognizes the month of June as Homeownership Month. It's an important recognition as it highlights the impacts and the benefits of homeownership in our community. This year, as part of the celebration of Homeownership Month, I'd like to recognize two organizations, Meadors, Inc., I think Meadors Construction Company, and Bordon Construction Company, Inc. The Meadors Team, I said Meadors Construction actually. In this case they did the design work. They designed the newly constructed homes located in Ashleyville-Maryville. The team included Thomas Sweeney and Jeremy Tate. Both attended neighborhood meetings with the housing staff engaging the community in the process, securing all kind of neighborhood impact while they designed these beautiful homes that were just completed building West of the Ashley. Then, Adel Bordon with Bordon Construction, right behind me here, brought the designs that Meadors created. He brought them to life. He and his team executed the construction of the homes and ensured they were actually built ahead of schedule. I'd like to commend both of these organizations for their remarkable work in the Ashleyville-Maryville neighborhood and throughout the Charleston community. Through their job well done, these two organizations have really helped some families. I think part of the lesson we all have learned is that homeownership is one of the real benchmarks to gaining economic security in this Country and this world. So, if I may now read you the proclamation itself."

Mayor Tecklenburg read the proclamation.

---INSERT PROCLAMATION---

Mayor Tecklenburg said, "In addition to these fine companies and their representatives, Mr. Borden and Mr. Meadors, I want to shout out our Community Development Committee that Councilmember Mitchell heads up and our somewhat remarkable Housing and Community Development Department led by Ms. Geona Shaw Johnson. Could you all join me in giving them all congratulations?"

There was a standing ovation in the Chamber.

Mayor Tecklenburg said, "Would anyone like to speak?"

No one asked to speak.

Mayor Tecklenburg said, "So, next I would like, if Battalion Chief David Griffin and Fire Chief Dan Curia would join me up here, we also have a proclamation commemorating the Charleston 9. I invite you all to join us this evening as we remember and honor the Charleston 9 members of the Charleston Fire Department who, as we all know, lost their lives battling a fire at the Sofa Super Store 12 years ago today. I already mentioned that the remembrance ceremony will start promptly at 7:00 p.m. out at the Memorial Park. This proclamation will be read there, but if you will indulge me, I would like to read it here at Council, as well, so that it will be a part of our City Council record for this day."

Mayor Tecklenburg read the proclamation.

---INSERT PROCLAMATION---

Mayor Tecklenburg said, "I'd like to call on Chief Dan Curia if he would like to make any remarks. Chief."

Chief Daniel Curia said, "Thank you for the recognition for the Fire Department and for our fallen members. We use a phrase in the fire service, and it's simply 'Never Forget'. It's a reminder that we always need to honor the sacrifices of those who came before us, and we need to make sure that everything we do points to what they were willing to do for us without even being asked. It means a lot at the highest levels of leadership in this City that the phrase 'Never Forget' is embraced, and I appreciate it."

Mayor Tecklenburg said, "Thank you, sir."

There was a standing ovation in the Chamber.

Mayor Tecklenburg said, "Thank you, Chief. Next we have four public hearings. I'll call on Christopher Morgan of our Planning Department to come forward and make a presentation about each of these. Then, we'll ask the public, as you come forward, to please make comments pertinent to each matter that you like. I'd respectfully ask you to limit your remarks to two minutes, and please state your name and address before addressing the Council. Thank you very much. Mr. Morgan."

Christopher Morgan said, "Thank you, Mr. Mayor and members of Council. The first item in the public hearings is E-1, 276 Coming Street. It's a request to go from Diverse Residential (DR-2F) to General Business. This is a residential structure that is at the corner of Coming Street and the Crosstown. It's an older structure. It was there well before the Crosstown Expressway. It's on a block that is, more or less, exclusively Residential as exemplified by the yellow zoning indicators except for down at the corner, but with Line Street where there is a corner store. Here is an image that shows you the Residential on the surrounding area. There is also Residential to the rear, vacant lots to the rear, and, of course, to the north there is the Septima Clark Parkway. We have a closer view of the house. Again, adjacent to the right-of-way, and there is a view of the house from the street. It's been renovated in the last few years, has a driveway to the right, and there is some parking on the street there. I think some of that may have been changed recently. This is across the street from the Residential structures in the area, and there is the subject property looking at it to the south from the Septima Clark Parkway. This was at our Planning Commission last month. Both staff and Planning Commission recommend disapproval because we felt it would set a dangerous precedent in this area of converting purely Residential structures to Commercial use. We felt that the Residential use was predominant on this street, and almost exclusively Residential, and it should stay Residential. Again, by virtue of the Planning Commission's recommendation, that requires a three-quarters vote of City Council to override for a rezoning."

Mayor Tecklenburg said, "Alright. Would anyone like to be heard on this matter? Please come forward. Yes, sir."

1. Sid Boone, Burr Forman McNair Law Firm, said he represented the owner of 276 and when looking at the drawing on the screen, the blue could have short term rental. The pink could have short term rental, and only the yellow was restricted to DR-2F. Three of the six houses were inhabitable on the east side of Coming Street and the houses that were on St. Philip Street to the east, in pink, the width of the street was very small, and it was not conducive to General Business. It wasn't going to be General Business, as the most it could be was short term rental or remain like a DR-2F. The zoning was backwards on the property. He said the property in yellow on the east side of Coming should be General Business so they could have short term rental, or there should be a provision that they could have short term rental. He said to look at the house that his client did compared to what was on that street, the brick house was boarded up. There was another house

that had a tarp roof. He asked Council to approve this, as it showed what you could do if they could have short term rentals. He said his client did it, he made a mistake, and he shut it down, but this house was what could happen.

Mayor Tecklenburg said, "Thank you very much. Would anyone else like to be heard on this matter? Yes, sir."

2. Marion Hawkins, President of the Cannonborough-Elliottborough Neighborhood Association, said this was in their neighborhood, and the applicant was a speculator. He had bought the property two years ago as part of a portfolio. He had been illegally operating as an STR even up until the last few weeks. The applicant's counsel had come before their Neighborhood Association, and they voted unanimously against it. He had gone before the BZA and was denied there, the Planning Commission, and now Council. Their neighborhood had a balance of short term and permanent residences, and they had lots of short term, but they were in Commercially-zoned properties (DR-2F). They had a constant stream of people asking to up zone from DR-2F to LB or Commercial. This would set a terrible precedent. Their neighborhood was against it, and he asked Council to vote unanimously against it.

Mayor Tecklenburg said, "Alright. Would anyone else like to be heard on this matter?"

No one else asked to speak.

Mayor Tecklenburg said, "Hearing none, it comes before Council."

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, "Mr. Morgan, can you refresh our memory? Hasn't this come up before to us, and hasn't this owner been cited for illegal short term rentals several times?"

Mr. Morgan said, "I think that there had been short term rental activity here. I don't know the full enforcement history on that, but I'm not aware that this has come before you all for rezoning."

Mayor Tecklenburg said, "I think a property maybe a block away did further north."

Mr. Morgan said, "Yes, there have been other properties that have asked for rezonings to be converted to short term rental, but not this one that I'm aware of."

Councilmember Griffin said, "Thank you."

Mayor Tecklenburg said, "Mr. Riccio is on vacation this week, so he's not here to report."

Mayor Tecklenburg recognized Councilmember Mitchell followed by Councilmember Lewis.

Councilmember Mitchell said, "I'll let him speak first."

Mayor Tecklenburg recognized Councilmember Lewis.

Councilmember Lewis said, "This property is in my district. The Neighborhood Association has really opposed it. The Planning Commission has opposed it, and I will certainly be opposing it also."

Mayor Tecklenburg said, "Yes, sir."

Mayor Tecklenburg recognized Councilmember Mitchell.

Councilmember Mitchell said, "That's been my sentiment. I went to the neighborhood meeting, and this gentleman who owns it came in there to the meeting, and he voiced an opinion on it. Then, they went against it and didn't approve it. So, I'm going along with the Neighborhood Association on that. To me, that area is very dangerous because from that house you turn right onto I-26, and anybody backing up has got to be very careful because if you look at that traffic there coming down Coming Street, it's very rough for people heading to Mt. Pleasant. I watch it all of the time. As I said, it is very dangerous. Someone is going to get killed there if you keep short term rentals there, and you're in and out. It's going to be a problem there, so I wouldn't even want to do it there actually. I wish the house wasn't there in the first place, but then it's there. So, I'm not going to support that on changing to Short Term Rental."

Mayor Tecklenburg said, "Yes, sir. Alright. Thank you."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "Thank you, Mr. Mayor. I really wanted to hear what the Councilmember who represented that area, Councilmember Lewis, had to say about it, and that's good enough for me. Thank you."

Mayor Tecklenburg said, "Just very briefly."

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, "I don't know if Mr. Somerville or Mr. Benjamin is here, but this won't come up on our screen again probably after tonight. Right there, that is the merge that goes in from Coming Street into the Septima Clark, and there is a sign there that actually encourages drivers to continue moving and merge into the lane and not stop. That sign faces in every direction except towards the cars that are getting on there. So, can we fix the signs getting on there, so the traffic continues to merge on the Septima Clark? I will tell you not only that, but when it's rush hour, it's both dangerous, and it creates an enormous backlog of traffic way back. I mean, way back. So, we need at least two signs there on our property. They encourage people just to keep going, it's safe to merge in, because it is disastrous over there, so I don't know if either one is here."

Mayor Tecklenburg said, "Mr. Benjamin is here, and he heard you. We'll straighten the sign out there."

Councilmember Seekings said, "But I do see some of the interns from T&T are here, too, so let's make sure we get that on your list. Alright? Excellent. Thank you."

Mayor Tecklenburg said, "It's funny that you should mention that. I have this memory of my cousin who used to complain about that very sign, and this dates back before the new bridge was built. There were only certain bottlenecks to get on the old bridge, and it would just incense him to no end that people would stop there, even though the sign was there. Keep moving."

Councilmember Seekings said, "I'm with him."

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, "Thank you, Mr. Mayor. I was hoping maybe Mr. Morgan could clarify for us, for the record, that if we would choose to give this a GB zoning instead of what it currently is, there is no restriction on General Business in this neighborhood, right? So, it wouldn't necessarily always be a short term rental if that were the intention of the current owner. This could be anything."

Mr. Morgan said, "That is correct. It could be a retail store or office. It would have to show that it could be parked which is difficult in this area. It has limited parking in the area, but if it were zoned GB, those uses would be a possibility."

Councilwoman Jackson said, "Okay. Thank you."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "Mr. Morgan, to Mr. Boone's point that he raised up earlier, can you shed some light for us as to why these other properties that he has pointed out to us seem to be more in line to be in Residential or not and are zoned for short term rental properties?"

Mr. Morgan said, "Well, St. Philip Street, for decades as far as I'm aware, at least 30, 40 years, has had General Business along it. So, in the Cannonborough-Elliottborough area, with the Short Term Rental Overlay that's in that area, those are eligible for short term rental. There was a property on Line Street, the property that's in blue, that was rezoned probably almost ten years ago. It's not been developed yet, but it's my understanding an affordable housing development will be going there at some point. But, that property would be eligible for short term rental by virtue of its zoning, but then all of the properties that are in yellow would not be."

Councilmember Shahid said, "So, all of the properties that are on Line Street that are shaded pink going down Line Street and then on St. Philip, I'm just trying to visualize here. Those have been traditionally, for the past 10 to 20 years or more, of a Commercial use?"

Mr. Morgan said, "No, they're zoned commercially, but I have an image here that shows how they're used. Everything on St. Philip, despite the Commercial zoning, is residentially used. Now, I do believe there is a Commercial redevelopment going on here, but all of these properties are residentially used. Now, they may have short term rental, by virtue of their Commercial zoning, but from our observations, they are still Residential in nature. These are Residential, and definitely all of these are Residential on Coming Street, except for the corner store right here."

Councilmember Shahid said, "Thank you."

Mayor Tecklenburg said, "Can I entertain a motion? I don't think we have one on the floor."

Councilmember Lewis said, "Yes, but I'll make a motion that we approve the recommendations of the Planning Commission to deny this."

Councilmember Waring said, "Second."

Mayor Tecklenburg said, "Okay. So, a 'yes' vote would deny it is the way you stated the motion, and we have a second. Is there any further discussion?"

No one else asked to speak.

On a motion of Councilmember Lewis, seconded by Councilmember Waring, City Council voted unanimously to deny 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 276 Coming Street (Peninsula) (0.68 acre) (TMS #460-04-04-003) (Council District 3), be rezoned from Diverse Residential (DR-2F) classification to General Business (GB) classification. The property is owned by Matthew Blake Lineberger.*

Mayor Tecklenburg said, "Next, E-2. Mr. Morgan."

Mr. Morgan said, "Yes, sir. This is up in the area of the Neck, Summerville Avenue. This is a little bit of an unusual situation here. Just to orient everyone, this is I-26, coming roughly north-south. That cuts this off from the Rosemont area. This was cut off after streets had already been established, and this became more of a business or an industrial area up here. The right-of-way through here apparently was actually privately held. So, the applicants have asked to have that zoned. They purchased it, and they've asked to have it zoned General Business as the surrounding property is. They are in the process of redeveloping the older industrial buildings that are in this area for office uses and have been making huge improvements in the area. The right-of-way that they would get zoned General Business would not have buildings on it, and it would just be used for parking areas and still have areas to maneuver in and things like that. Staff and Planning Commission have reviewed this and felt comfortable with it and recommended it for approval. I believe I may have an aerial image. You can see some of those industrial buildings there on the right that the industrial use has gone away, and now they are becoming office uses and are going to have a good many jobs up in this area of the Neck."

Mayor Tecklenburg said, "I would like to share with Council. I plan to recuse myself on this matter. Would anyone like to be heard on this matter? Please come forward and state your name and address."

1. Trey Thompson, Hall Booth Smith, and Hank Cheves, President of Anchor Sign, said that Anchor Sign was a true homegrown Charleston success story. Hank and his partner, David Jackson, started a small canvas business out of the Ashley Marina and had grown it into a national sign business manufacturing and installing the signs for national companies, many which people would recognize. He pointed out the properties that Anchor Signs owned the development was at the end of the road. Historically, the property or the roadway looked like a road, a right-of-way, and so there had been a number of different businesses and homes that had used the road over the course of time. The developers were redeveloping an area into office space, and they had purchased the stretch of roadway all the way to the intersection. The developers' proposal was to have curbside or street side parking along the stretch of road to the intersection and back to their development. The problem was Anchor Sign had owned this piece of property for at least four years and maneuvered large tractor trailers through there. They could see how much room the tractor trailer took up and how much room was necessary for the tractor trailer to maneuver. It was a safety issue because they would have residents, customers and people walking behind the tractor trailers that were loading and unloading at the warehouse. As of now, there was no formidable agreement with the developer. Mr. Cheves had been working with the developer to try and come up with an agreed plan of ingress and egress that would allow the tractor trailers to maneuver which had not been established or agreed upon at this point. They asked Council to defer the matter until further consideration could be given to the planning with regard to the civil engineers and the use of the property for what it had been used for in the past for many years and the tractor trailers, so that they didn't have a problem with pedestrians.

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

2. Anthony Bryant said he had received a letter from the Solicitor General's Office on Saturday regarding the Department of Education. He had made tons of public comments to DHEC, the Army Corps of Engineers, and the EPA in the neck area for years as a former BZA member. He handed the Mayor a couple sheets of paper

and said he could give one to Councilmember Shahid, as well, on the Public Safety question as he thought it was a joke. It was serious to have Rule 19 and 29 from lawyers in the City to put it together on the recusal with their interests in real estate. They made a lot of money up there. With regard to what was going on in the neck area with Dominion, they were settling with the Attorney General at \$149 million on a \$2 billion deal. He said he made public comment on that at the ILA Hall in 2012. This was serious business of people in the community who were poor and had no power through lawyers who were getting paid with the Mayor. He said the Mayor knew why he was recusing himself as he had direct interest in this. He suffered an appalling grievance because of it. He was able to retain counsel necessary to defend himself in his businesses in the area.

Mayor Tecklenburg said, "Thank you, sir. Would anyone else like to be heard on this matter? Yes, sir."

3. Charles Hudgens reiterated what Mr. Thompson had said in that his family owned Machinists, Inc. that was also right on the corner of the property. Like Anchor Sign, they had trucks coming in, making deliveries, and pulling into this same area, not quite the same size and volume, but they did have quite a bit of trucks coming in on the area making deliveries. So, they would still have the same issue.

Mayor Tecklenburg said, "Yes, sir. Thank you. Would anyone else like to be heard, and then we'll come right to Council?"

No one else asked to speak.

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, "Yes, I was wondering if anybody who represented the applicant was here tonight. It doesn't seem like they are. I think that it would be a good idea--"

Mayor Tecklenburg said, "Chip, did you want to say something?"

Chip McQueeney said, "I represent the applicant, but I do need to speak to this whenever."

Councilmember Griffin said, "Do you want to go first?"

Mr. McQueeney said, "Yes, I'll be happy to. I researched as the attorney for the owner or purported owner, or whatever you want to call it, of these roads. They were shown to be private when there was original dedication of Richland Village. They claim to be able to do things with the roads. I don't have any opinion on that right now. I asked for this zoning actually because it's currently unzoned. So, if they are private roads, and they can do things within those right-of-ways, they have unlimited capacity to do whatever they want within those right-of-ways. Once they're zoned, they're at least limited to whatever that zoning category is. Now, again, I'm not saying they own the roads. I don't have an opinion on that. This doesn't enable them to develop the roads if there is other interests in those roads that prevent the development of the roads, but it does take the property from what is currently unzoned right-of-way to a zoning category. So, right now, it's unlimited. They could do whatever they want with those rights-of-way, and that's the reason I asked this to be rezoned."

Mayor Tecklenburg recognized Councilmember Mitchell.

Councilmember Griffin said, "Mr. Mayor, I was already speaking."

Mayor Tecklenburg said, "No, it's Councilmember Mitchell's turn. I can come--"

Councilmember Griffin said, "You had already called on me."

Mayor Tecklenburg said, "I did call on you."

Mr. McQueeney said, "I--"

Mayor Tecklenburg said, "That's correct, and he interrupted. Back to you, Councilmember Griffin. Good point."

Councilmember Griffin said, "I'm just confused now, probably more so than I was before because if we, as a City, made the recommendation or put this on here for a public hearing, I would think that we would have gotten some information about it before it came here tonight. This is even more confusing now because they believe that the applicant has made a recommendation that we have parking on this road when, in actuality, the City has made this recommendation. We don't know whether or not the private landowner has rights to do parking on it or what not. So, now, I'm really confused about what's going on here because I was going to say I think that's a good idea for these business owners who are good Charleston companies and have worked really hard for a long time to meet with, who I thought was, the applicant which would have been the developer when, in actuality, it was the City. So, maybe we need to get some clarification on what exactly is going on here and whether or not the applicant, and if it's the City, did the Commercial developer have any interaction with the City about making this rezoning or anything like that because I totally understand the point that these business owners are making. They're doing really great work for the City of Charleston, but if we have some sort of private property issue then we need to tackle that, as well. I think that should have been handled before it came here to us or at least us getting some feedback of what the issue is here. So, I don't know. Maybe we can get some more information on that because now I'm pretty confused."

Mayor Tecklenburg recognized Councilmember Mitchell.

Councilmember Mitchell said, "Well, I spoke with a couple of people pertaining to this. I had a lot of calls pertaining to this because all of this is in the district I represent. I'm just going to ask for a deferral for this until everybody can get together on it to find out what kind of solution that we can come up with, for this property because those businesses are back there. I have a lot of problems in Rosemont with the trucks coming through there now with these developers and I-26, or whatever they're doing up there. So, I don't think anyone has met with the Neighborhood Association yet because they are on break for the summer actually, but everyone needs to get together on this to see how we can come up with a good plan and make sure that the companies that are there are not going to be pushed by the big trucks coming. We could have a big disaster there if that happened with kids or people living in that area. I just had someone call me yesterday who lives right near that area of Summerville Avenue. I spoke to her and other people, and I'm going to put some signs up in the area because we have some other things going on in that area too. That area is very sensitive to me, and I know they will be coming here, and they will be beating me up and everybody else in this area because of Rosemont, the way Rosemont is going on now. I believe that we need to get together with everyone that's concerned, and then we will try to iron this out and come up with a solution that is going to be good for everyone. No one is going to get it all, but we'll come up with a good solution. So, I'm going to ask for a deferral for this. I also spoke with Jacob that anything that is coming in District #4 that I'm not aware of and all of this rezoning, I'm asking to take it out of the rezoning right now until I get a chance to grasp myself around it. All of this rezoning that we're going on in District #4, I'm not aware of it, and some that I already spoke about before. So, I'm going to ask for deferral of everything that is going to be

rezoned in District #4 at this time until I can get my hands around it with the community to make sure that things are going on.”

Mayor Tecklenburg said, “Okay. We have a motion to defer, and we have a second.”

Mayor Tecklenburg recognized Councilmember Seekings following by Councilwoman Jackson and Councilmember White.

Councilmember Seekings said, “Okay. Mr. Thompson, I’ve just got a few questions, if you don’t mind. You seem to know a lot about this. Alright. So, it looks like this will get deferred, but when it comes back, I’ve got a few questions. So, the end of that road, until the developer came and bought it, was a right-of-way that, unbeknownst to at least your clients, was privately held, right?”

Mr. Thompson said, “By all accounts, it was a public road.”

Councilmember Seekings said, “Everybody thought it was.”

Mr. Thompson said, “Well, we all thought it was.”

Councilmember Seekings said, “Until someone went to the RMC Office and said ‘no’. Alright. A couple of things, do you know how much was paid for that piece of property, that easement?”

Mr. Thompson said, “It’s my understanding that it’s approximately a one-acre piece of land, and the developer paid approximately \$55,000.00 for it.”

Councilmember Seekings said, “Alright. Who did they buy it from? Do you know? I guess we can go look at the records.”

Mr. Thompson said, “Yes.”

Councilmember Seekings said, “So, who maintained this over all of those years? You had massive trucks coming in, and I’m sure some are loaded up and heavy. Who did the maintenance on this road?”

Mr. Thompson said, “Do not know, Councilmember.”

Councilmember Seekings said, “Does your client know? I’m fascinated by all of this.”

Hank Cheves, President of Anchor Sign, said, “We think it was the City, but that road as it continues down past the rest of our buildings is, what I understand, State maintained. So, I don’t know if the State was maintaining the portion that we’re talking about or the City.”

Councilmember Seekings said, “Was there ever a sign on there saying, ‘End of State Maintenance, and you’re now on private property’, or anything like that?”

Mr. Cheves said, “No. It has a street sign and it’s been paved obviously over the years.”

Councilmember Seekings said, “Right. So, we’ll have to go back. Do you know whether or not there are any utilities under there?”

Mr. Cheves said, "There are SCE&G, and there are City waterlines, so that's where we are and, again, we're not fighting the development. I think it's good for the neighborhood, but we want to make sure people are safe coming in and out of there."

Councilmember Seekings said, "I understand, but we're about to create a mess for ourselves here if we don't do this right because we now have a right-of-way that was heretofore public, although privately owned. It's got, among other things, utilities underneath it, an easement for you all, I mean access for you all. It's kind of a big fat mess. Have you done a title search on it? Trey, have you?"

Mr. Thompson said, "No, not yet."

Councilmember Seekings said, "Okay. So, now, Mr. McQueeney, have we done a title search on it?"

Mr. McQueeney said, "I haven't done an official title search, but I've gone through it and read the documents back to the creation of Richland Village. It was created while it was in Charleston County. This is above Mt. Pleasant Street, so that wasn't in the City until, I think it was in 1975. All of this was here before that. I checked with the County, and they don't have any record that it's ever been maintained or used by the County. Just so everyone understands, any street or road in the City of Charleston is unzoned. We don't zone it, and zoning is more restrictive than unzoned, so zoning is a limitation on the use of land. The reason is like Kinloch Court, Haynes Street, all of these we've done in the past, if we don't zone it, and somebody tries to use it while it's unzoned, there are no height limitations. There are no use restrictions. There are no lot standards or anything like that. It might be within some overlay zones, but there is no base zoning district for this property."

Councilmember Seekings said, "But one of the things that we could do and should do and need to at least look at is to see whether or not we've got a very minimum, some form of easement by description and use. Just because they went and paid their \$50,000.00 and now changed title, there are still some issues going on there. I'd certainly want to know what the utilities think about this and their access. I'd like to know what we think about this with this and what the County thinks about this. That's our tarmac over there that we've all paid for, and in the end, we don't want to slow anything down, but we don't want to slow them down. We certainly don't want, in the end, to have a bunch of parking along there which creates, forget about access issues, public safety issues. I'd love to hear what the Police Chief has to say about this and what the Fire Department has to say about this. This has got a whole lot to it. We need to defer this, I agree, but we need to go to work. Let's get a title search on that. Let's find out what the Water System has to say, what Danny Cassis and his team have to say, what the County has to say, and whether or not, regardless of the private transaction, that we are still either as a City or as a County, have some form of easement over the top of that. Then we can then take care of this parking issue. Everybody is happy, and we don't let a developer control what goes across those roads if we don't have to. I get the zoning issue, but there is more than just zoning."

Mr. McQueeney said, "I do just want to point out, no pending ordinance doctrine if it's deferred."

Councilmember Seekings said, "I'm not so worried about that. I don't believe we're going to get an application coming in saying they want to build a building over the top of existing utilities easements."

Mr. McQueeney said, "Yes, I understand. I'm not supporting any of that."

Councilmember Seekings said, "Mr. Thompson, are you worried about that?"

Mr. McQueeney said, "I'm not saying that should happen at all. I'm trying to limit what they could do if they succeed against private rights, etcetera. I would like to limit what they can do."

Councilmember Seekings said, "I think we're okay with that. Thank you."

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, "Thank you, Mr. Mayor. I totally associate myself with Councilmembers Griffin and Mitchell. Now Councilmember Seekings put even more meat on the bones of what just seems like we're missing a lot of the rest of the story. I think we should definitely defer this and get to work, as Councilmember Seekings says, in terms of trying to put all of the moving parts together. Because my understanding of as we continue to foster redevelopment, as we move up the Peninsula, we're going to run into all of the sort of anomalies that are no longer anomalies. They need to have some framework by which we can rely on the recommendations of our Legal team to make the land as tight and prescribed as possible, but in the process of trying to do that was like we have one little piece of the elephant, and we didn't have the bigger story of what was going to be the real world ramifications of trying to rezone this land without having the actual use plan in place. So, I think that it's a very wise thing of the Council to defer this and then to look forward to a pretty quick update on how the whole thing is reworked to everyone's satisfaction. Thank you."

Mayor Tecklenburg recognized Councilmember White.

Councilmember White said, "For the landowners, Anchor Sign and others, is that the only access point to your all's property, this road here?"

Mr. Cheves said, "That is correct. The second building down from Discher Street right there is where the tractor trailers are backing in. In the photograph you saw earlier, that is the access point that's coming off of Summerville, so that's the only access point."

Councilmember White said, "So, as this was expected that this was a public road, subsequently now has been defined or determined to be a private road. Now being privately owned by someone else, does your client have easement rights?"

Mr. Thompson said, "We would expect so. Yes."

Councilmember White said, "By law not by right?"

Mr. Thompson said, "Correct, by law. Getting that figured out is still where we are."

Councilmember White said, "Sure. So, who owns this Summerville Avenue now? Who owns the property? Who is the new owner?"

Mr. Thompson said, "It's a group I think, RCB. It's a development group that is developing, again, the larger warehouse property down at the very end. Actually, the plan we see is they're going to take what is now, I guess, the roadway. They're going to extend the parking lot into the left side where you see that yellow. So, really we're talking about the parking being extended. So, we're talking about they're going to extend the parking or create parking that will come out to here, so this won't even be road, at least from about here back based on the plans that we've

seen. Then, the plan is to have curbside parking, street side parking, on both sides coming into this area.”

Councilmember White said, “But no one knows who the individuals are associated with RCB development.”

Mr. Thompson said, “We do.”

Councilmember White said, “Who are they?”

Mr. Thompson said, “The principles are Reed Brownell and Russell Canard.”

Councilmember White said, “Okay. So, I guess my last question, Mr. Mayor, you had mentioned you were recusing yourself. Is there a particular reason that you are recusing yourself from this item? You’re not part of the ownership group, I’m assuming.”

Mayor Tecklenburg said, “I’m not part of the ownership group. No, sir. My son is a Commercial realtor, as you know, and he is the leasing agent for this new development.”

Councilmember White said, “Okay.”

Mayor Tecklenburg recognized Councilmember Shahid followed by Councilmember Waring.

Councilmember Shahid said, “So, building on what Councilmember Seekings had brought to our attention, we annexed a good portion of this property back, I think, in 1975.”

Councilwoman Jackson said, “1977.”

Councilmember Shahid said, “1977. So, my other question on this is, is this just sort of an unusual circumstance only with Summerville Avenue, or are there other situations along this corridor between King Street Extension and I-26? While we’re doing this work, and we’re talking to all of these entities, Dominion Energy, the Fire Department, the Police Department, and whoever else may be involved in this process, are there other areas like this that we need to be looking into to see if this is just a unique situation? Does this one strip of land, about an acre or so, extend into other properties along the way in this particular Commercial/Industrial-type area? I think while we’re examining this maybe perhaps it would be a good opportunity for us to examine more of this property along this area in the Rosemont area?”

Yvonne Smalls said, “Mayor, excuse me. May I speak? My name is Yvonne Smalls.”

Mayor Tecklenburg said, “Please come to the microphone. We’re going to open back up the public hearing for a moment, folks.”

Ms. Smalls said, “I just have one question. My name is Yvonne Smalls, and I represent Memorial Missionary Baptist Church at 153 Alexander Street, Charleston. Now, I’m not sure how far this is extending. We have property back here a little bit beyond Rosemont, and we received this letter about the rezoning. We’re using it as cemetery property. Is that going to be involved in this rezoning area?”

Councilmember Seekings said, “No.”

Mayor Tecklenburg said, “Our Planning Director is shaking his head ‘no’.”

Ms. Smalls said, "No?"

Mayor Tecklenburg said, "No."

Jacob Lindsey said, "If I may?"

Ms. Smalls said, "Okay."

Mayor Tecklenburg said, "Yes."

Ms. Smalls said, "Thank you."

Mr. Lindsey said, "No, ma'am. She is referring to the Light Industrial/Heavy Industrial rezoning which comes as first reading later on in the meeting. It's not related to this matter at all."

Mayor Tecklenburg said, "I see. Okay. That's coming up. Who hasn't been heard yet that would like to speak?"

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "Thank you, Mr. Mayor. Could attorney Thompson come back to the microphone? When did your client buy the property approximately?"

Mr. Thompson said, "It was approximately four to five years ago."

Councilmember Waring said, "I thought there was a rule in Charleston County that a parcel of land couldn't be sold without providing property ingress, egress, and utilities?"

Mr. Thompson said, "Councilmember, I wasn't involved in the transaction."

Councilmember Waring said, "No, I mean for decades now, Charleston County has had that ordinance in place so people won't sell land-locked properties and need a helicopter to get to them and get in and out."

Mr. Thompson said, "Well, it's an interesting situation, right? When that transaction went through, certainly the folks that were involved in it believed that that was a right-of-way and provided ingress and egress. It just turned out, again as this development has moved along the developers figured out that that property was privately held, tracked down two heirs, and bought the property presumably in a quitclaim kind of deal for \$55,000.00. So, that's where we are now. It's got black top over the top of it. It's got street signs. By all accounts really, until we received the notice of this hearing, we didn't even know that there was a movement underway to either have it zoned, or that it was even in this situation. So, that's another reason why we're here today, I guess in somewhat amount of force, just because we think that there is more to talk about."

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

Mr. McQueeney said, "Yes, sir."

Councilmember Waring said, "I understand your move to bring some civilization to this method, but I'm wondering whether the City needs to step up stronger. We're talking about public access. That's a use for eminent domain, and instead of deferring on zonings and rezonings and things like that, I think we ought to come up with the strongest bat we have, eminent domain. The public has a right for ingress and egress, and as I was talking to Councilmember Seekings and I said, before I found out that this was supposedly privately owned, I said, 'Well, we just put no

parking zones up there.’ That’s when he quietly whispered to me that this is supposedly private. There is nothing private about that street. So, if there is a time for us to bring clarification to this one, especially if taxpayer dollars have gone into the black top and CPW has water and sewer lines, we’ve got electrification up in there, maybe even gas lines. We need to protect the public investment. So, in addition to this deferral, and I’m going to support the deferral, Councilmember Mitchell, you’re spot on with that, I think we ought to go beyond zoning and look at eminent domain. They may have a valuation on it. It’s too easy to go in and keep this property in the public domain, so I don’t think we need to fool around. When people come with underhanded tactics in the neighborhood, government is supposed to protect the people, and that’s what we’re here for. So, I would like to add that to your deferral as being part of the process. If we’re coming back with something, let’s come back with something that is going to work.”

Mr. McQueeney said, “Yes, sir, and just so you know, when the owners’ attorney contacted me, I think sort of just like Kinloch Court, I sent a long list of things which is the people’s whose access would be cut off. You need permission for them to the extent they’re on either side because I don’t think we can create a non-conforming lot or allow us to do that. It just creates a non-conforming lot. You need to check, which is the same thing we do with all of our roads, if we abandon them, whether or not this is public or private. You need to check with SCE&G if they have easements, and CPW, if they have easements? I sent a long list and before you get a subdivision plat or do anything with this property certainly adjacent owners was number one on that list as I understand the access issue.”

Councilmember Waring said, “But my understanding is, let us just say somehow this is private. The public needs access. It’s just that simple. They could put a gate up there. So, if one of the buildings caught fire, the Fire Department is going to have to get their permission to come in there and put it out? It doesn’t make sense. So, I think eminent domain, and if we need a motion for that, we’ve got a motion on the floor. I would hope my colleague would allow that to be an amendment to your deferral.”

Councilmember Mitchell said, “I’d like to speak. This is why I asked for a deferral because I wasn’t really aware of it until I read my agenda when I got back in town. What I know is that there are problems in Rosemont now. There are a lot of problems going on in Rosemont because of big trucks coming through the community itself, and they are arguing about that every day because the trucks do not have anywhere else to go. That is a dangerous thing. A lot of the kids have almost been run over by the big trucks in Rosemont because they are coming from Summerville Avenue. When it’s closed, they come around into the community, too. So, with this happening, and I know we have some people living right near Summerville Avenue, there is a young lady that called me yesterday, and she lives right there near Summerville Avenue. She works for the Planning Department for the City of North Charleston and has lived there 30 years. She called me yesterday and was inquiring about this and inquiring about some other things that are going on in that particular area. This is why I said I would have it deferred, so that everyone can get together and see exactly how we can come up with some mechanisms to try to solve this issue. If we can’t, we can go extend to something else, but public access you have to have. So, this is why I had said have a deferral if we can’t come to some consensus with the two, then we go further, and that was my take on it.”

Mr. McQueeney said, “Absolutely. Yes, sir.”

Councilmember Waring said, “I would hope, and I’m going to vote for the deferral, but if we’re going to defer this when it comes back, I’d like to have the questions answered about eminent domain and keeping the public access available as it has been for decades.”

Mr. McQueeney said, "Yes, sir. We'll get back to you."

Mayor Tecklenburg said, "Alright. Would anyone else like to be heard?"

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, "Just very briefly. Thank you. Just a couple of things, I think one of the things, if we do the title search, we may not have to spend money for this because we may have some kind of easement by prescription. I have a question for Mr. Lindsey. Mr. McQueeney brought up a point that zoned property protects the citizenry better than unzoned property, but if someone comes in or makes an application to do whatever they want to do on that land and the property is unzoned, how does that work?"

Mr. Lindsey said, "Well, assuming that they've been through the abandonment process and that it actually is a parcel and not a street, the property would have no controls. We would have no ability to regulate its uses."

Councilmember Seekings said, "So, I think they've got a title problem. I think we need to go back and look at it. I just want to make sure we don't put ourselves in a worse position by deferring, but I don't think we are. I can't imagine any sane application showing up and getting anything attached to it given all of the things we've just talked about, all of them. So, I'm going to vote to defer. I think we should jump on this though in fairness to the people who just spent the \$55,000.00, and if the worse-case scenario is we've got to go through the eminent domain process, we now know what the scope of that eminent domain proceeding is because they just paid \$55,000.00 for it. So, we're not looking at millions and millions and millions of dollars. We're looking at \$55,000.00, which I suspect between the County, the City, the CPW, the electric company, private investors, and all of the like, we can probably come up with some money to take care of that. I suspect that there is probably a pathway forward to make sure because it's not just the fact of access I think we all are worried about, it's the quality of the access, and that's what we need to think about. Alright. Got it. I've said enough. Thank you."

Mayor Tecklenburg said, "Councilmember Shahid, are you good? Is there any further discussion?"

On a motion of Mitchell, seconded by Councilmember Griffin, City Council voted 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 a portion of former Summerville Avenue right-of-way (Peninsula Neck) (approximately 1.4 acres) (unzoned right-of-way) (Council District 4), be zoned General Business (GB) classification. The property is former right-of-way deeded to adjacent property owners. (DEFERRED)*

The vote was not unanimous. Mayor Tecklenburg abstained from voting and completed a Conflict of Interest Form which is on file in the Office of the Clerk of Council.

Mayor Tecklenburg said, "Number three."

Mr. Morgan said, "Yes, sir. This is E-3. It also relates to E-4. This is the Kinloch Court right-of-way. This is a right-of-way that would be absorbed into the adjoining properties because it's being abandoned. This is off Meeting Street. The recommendation is to zone the property in the manner in which it's been zoned on either side which is with Limited Business. It is also parked throughout the City. The Peninsula also has an Amusement and Recreation Service

Overlay Zone everywhere on the Peninsula, so that zoning would need to be put on it. This has been to Planning Commission and was recommended for approval, as well. It's a little bit different from that previous situation in that this is property that would just be absorbed by the adjoining owners."

Councilmember Mitchell said, "That's E-3 and E-4, right?"

Mr. Morgan said, "Yes, sir."

Mayor Tecklenburg said, "Alright. E-3 and E-4 are being taken together. Would anyone like to be heard on E-3 or E-4?"

No one asked to speak.

Mayor Tecklenburg said, "Hearing none, it comes to Council."

Councilmember Mitchell said, "Move for approval."

Councilmember Moody said, "Second."

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

No one asked to speak.

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

*An ordinance to amend the Zoning Ordinance of the City of Charleston, South Carolina, by changing the Zone Map, which is a part thereof, so that the former right-of-way for Kinloch Court, also sometimes known as Kinlock Court (Peninsula) (approximately 0.09 acres) (Unzoned Right-of-Way) (Council District 4), be rezoned from Unzoned Right-of-Way to Limited Business (LB) classification. The property is owned by the City of Charleston.*

*An ordinance to amend the Zoning Ordinance of the City of Charleston, South Carolina, to change the Zone Map, which is a part thereof, so as to clarify that the former right-of-way for Kinloch Court, also sometimes known as Kinlock Court (Peninsula) (approximately 0.09 acres) (unzoned right-of-way) (Council District 4), is contained within the Amusement and Recreation Service, AR Overlay Zone. The property is owned by the City of Charleston.*

Mayor Tecklenburg said, "Next is the approval of our City Council meeting minutes from May 14, 2019 only. We're deferring on May 28<sup>th</sup>."

Councilmember Mitchell said, "So moved."

Councilmember Seekings said, "Second."

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

No one asked to speak.

On a motion of Councilmember Mitchell, seconded by Councilmember Seekings, City Council voted unanimously to approve the minutes of the May 14, 2019 City Council meeting.

Mayor Tecklenburg said, "Next is our Citizens Participation Period. We've got a short list. In the interest of time, but in being fair, I think I will ask you to keep your remarks to two minutes, please, and Madam Clerk will call your name. Please come forward, state your name, and your address before making your remarks to Council. Thank you."

The Clerk said, "We have seven people, Anthony Bryant, Marion Hawkins, Mohammed Idris, Katie Zimmerman, Yvonne Smalls, Edward Jones, and then Ronald Flowers."

1. Anthony G. Bryant said the Department of Education had called him every name in the book on a national level and that he went to school in the Maryland/D.C. area. In terms of the issue of women and children and in particular white women and white children, he had no interest in a negative position toward white folks in that kind of way, but he was deeply concerned about the historical legacy of being wronged about black people and white folks in the State and in the Country. If there was an error regarding that, it was Rule 19 and Rule 20 of the Supreme Court Procedure and Petition for Extraordinary Writ a procedure on certified question. In 2001, he put his name on it, and it came back negatively, and he was on the record for that and he wasn't going to pay a lawyer for that experience. He would not pay an attorney to be called a 'n-----'. That would never happen in the State. He was deeply disappointed in knowing that. His best friend came down and told him what was being said about him down here with white folk and some black people, too. He took care of his father for years in that house when he was sick and the U.S. Marshals tore his house up to come get him. He was right here. They were over there five times the whole year wondering what Anthony G. Bryant was looking for. It was serious business with him. They hadn't alleviated the hell for black folk in the State and Country. He didn't care who the Mayor or Governor was. The history was that deep. They could write books and do movies, but they were still an end in the eyes of many people in the State. They blamed him for what he said four years ago regarding Emanuel, but he stood behind everything he said.

The Clerk said, "Marion Hawkins."

Councilmember Seekings said, "He spoke earlier."

The Clerk said, "Okay. Mohammed Idris."

2. Mohammed Idris said at the last City Council meeting they talked about the Calhoun Statue which sat between two churches, the Lutheran Church and The Citadel Church, and the statue was 100 feet in the air. He asked what would happen if people sat in churches that flooded the world for centuries with the image of an African American man as savior of the world before them. He asked what it would do to the mind of the world's children and what would happen to the world's children put under a figure of a particular race presented as the savior of the world. If they had a black man up there like that and said that man was God, like the picture of Christ the Prophet of God, and put him 120 feet in the air, he asked what that would do to their minds.

The Clerk said, "Katie Zimmerman. Please come in the order that your name is called. Yvonne Smalls, Edward Jones."

3. Katie Zimmerman, Executive Director of Charleston Moves, thanked the Committee on Public Safety for voting to move forward with Council's consideration of an ordinance to examine the loophole in the law regarding when motorists hit anything, whether a person or an object, and flee the scene. She was happy to see this moving quickly to Council. She also thanked Councilwoman Jackson and Councilmember Lewis for attending their Sober Streets gathering relating to this issue. She said they were losing citizens and it was completely avoidable due to people driving under the influence and hitting folks and not sticking around to render aid. She thanked Council for considering it and she hoped it moved forward and they were able to pass it into an ordinance and she was grateful to Council.
4. Yvonne Smalls said their church received a letter about the rezoning of McCanick Avenue and she wanted to know why it was being rezoned from Light Industrial and what it would be rezoned to. Six years ago, she was on a Committee and they wanted to rezone then and there were problems with it. Now, it was coming up again and asked why and what that entailed for the cemetery there and for the people that were coming to see their loved ones.
5. Edward Jones said there were three things he wanted to let Council know that he was not appreciative of. First, he had asked for about a year or two for the Mayor and Council to look into and at least try to put a speed hump near Martin Park at 155 Jackson Street. Last month, a three-year old child was hurt as people came to the pool, parked their cars on the side, the kids coming down the street with big SUVs, and the young child could not be seen and the car hit them. Second, there had been two incidents in less than 24 hours and there were staff at the MLK Pool that were not notified of the incidents and they were walking in the dark to the school to open the building. He said they had to lock the kids in themselves as no one from the Police Department stopped by the park to notify them there was a shooting a block away. If it happened at the corner of Meeting and Line Streets, they would have locked Sanders-Clyde School down. The same thing needed to be done at the playgrounds where children were during the summertime. One incident was a homicide. He asked Council if they would look into it.

Mayor Tecklenburg said, "Thank you, sir."

The Clerk said, "Ronald Flowers."

6. Ronald Flowers said he was there about the rezoning as his mother lived at 94 Reid Street and they wanted to make sure that the rezoning of that area would not have anything to do with her house. She just turned 90 years old. It was their understanding that it was grandfathered in, so he was trying to find out what was going on with it.

Mayor Tecklenburg said, "If you would speak to Mr. Morgan, he will be glad to address that question with you."

Councilmember Griffin said, "Mr. Mayor."

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, "Can I make one point based on what Mr. Jones said about the incident near the pool? He called me and a couple of other Councilmembers this morning. I

just want to make sure that whenever we have an incident like that near a City playground, and we've got kids running around and there is somebody with a gun or a shooting, that we have at least somebody out of the Recreation Department, but more importantly somebody in the Police Department, that goes and checks on those kids. Any time that there is a situation within a mile or two of a school, the school goes on lockdown, and we should have that same procedure at our City playgrounds and pools. I don't know if we do or not, but I'm a little bit worried that we're not making sure that all of these kids are safe. Gun violence is very, very scary, and I would just hate for any of our kids to be subject to that. Whether or not the suspect's been captured, you just never know, but I think Councilmember Mitchell wanted to say some more on that, but I was definitely a little bit disturbed about that."

Mayor Tecklenburg said, "Thank you, sir."

Mayor Tecklenburg recognized Councilmember Mitchell.

Councilmember Mitchell said, "Yes, that was yesterday. Yes, Mr. Mayor and Councilmembers, yesterday they had a shooting. I think it was pertaining to a fight, and they were shooting all over the place yesterday near the public housing. I stopped one of the officers and asked him what was going on, and he said it was a shooting. So, they had about 20 officers around on Harris Street around in that area of Nassau Street. They were canvassing the public housing at that time. My granddaughter was there, and she said, "Granddaddy, they were shooting all over the place', because she is at Martin Park. She is working there for the summer. She said, 'Well, we ran in the park, and little kids were running so slow. I was telling them to hurry up and run faster, run quicker to get back in the park house.' So, that's when I went out, and I talked to some of the officers, but I didn't know if they ran over to the park house or not, but they were all over there mostly down by Harris Street in that area and Nassau Street and canvassing the whole public housing. Then, when I got the call about 7:30 this morning saying they had a homicide, that someone got shot on Harris Street in almost the same area, I asked them if they were related. They said they didn't know if they were related yet. They're still doing an investigation, but that's two back to back. So, I told them that we're going to have to do some up beat in that whole area on that particular public housing area of Nassau Street, Jackson Street, Harris Street, and around the park, Lee Street, and to beef up the area around there and be more visible in that area because there are kids in that area, and we have cap in that area what is going on with young people in that particular area. We don't want to see any incidents happen. So, they told me that they are going to start beefing up the area and have more visibility in that area, but I didn't know that they didn't contact anyone at the park or not. I didn't hear of that yet. So, I have to check on that part of it."

Mayor Tecklenburg said, "Yes, sir, and I also spoke with Chief Reynolds about this today and he relayed that actually their increased surveillance started last night, but I didn't address the issue about the park. Normally, that's what they do."

Councilmember Mitchell said, "One more thing, Mr. Mayor. We need to get the cameras in the pool. They said it's not working."

Laurie Yarbrough said, "No, it is."

Councilmember Mitchell said, "That's what they told me yesterday. An officer told me that."

Ms. Yarbrough said, "Our cameras work at the pool. I checked it this morning."

Councilmember Mitchell said, "Okay. So, when I spoke to the officer, he said he went over to the pool, and I said, 'Did you check the camera in the pool?' He said, 'Well, he went over there, and someone said it was not working.'"

Ms. Yarbrough said, "It didn't pick up as far as Harris Street, but we do have working cameras in that parking lot and in the park right there that are working."

Councilmember Mitchell said, "I just wanted to make sure."

Ms. Yarbrough said, "Yes, sir."

Mayor Tecklenburg said, "Yes, sir."

Mayor Tecklenburg recognized Councilmember Shealy followed by Councilmember Lewis.

Councilmember Shealy said, "Thank you, Mr. Mayor. With me having two kids, I've got a middle school student, and if something happens anywhere with Charleston County that is associated with her, I get an alert immediately on my phone, and I get an e-mail. When my oldest daughter was a student at the College of Charleston, I'd get what they call a Cougar Alert. If anything happened, I'd immediately get a phone call and an e-mail also from the College of Charleston. My suggestion may be that we do that, at least with our City employees, if there is something going on in the area where there is some type of automated alert. So, for Councilmember Shahid, maybe we can bring that up at a future Public Safety meeting."

Mayor Tecklenburg said, "Excellent idea. Thank you."

Mayor Tecklenburg recognized Councilmember Lewis."

Councilmember Lewis said, "That was going to be a part of what I was going to say. It's a public safety issue, and the Public Safety Committee needs to look at it. The City needs to make sure that we develop a policy. If, during the day, something like that happens near a park, we have to have a policy where the supervisor or whoever is in charge of that particular park needs to know that they need to get the kids out the park and put them in lockdown. The Parks Department, Laurie and them, need to be notified, and make sure that the parks are on lockdown until an officer comes over and says it's clear and let the children out of the park because public safety is very important, especially for our children. So, if we don't have a written policy, I think we need to have one."

Mayor Tecklenburg said, "Thank you. Alright. Are there any further comments?"

No one else asked to speak.

Mayor Tecklenburg said, "That parlays right into our Committee on Public Safety, Councilmember Shahid."

Councilmember Seekings said, "Don't we have to do I.1.?"

Mayor Tecklenburg said, "Yes, I'm sorry."

Councilmember Seekings said, "So moved."

Councilmember Griffin said, "Second."

Mayor Tecklenburg said, "I.1. We need to rescind the vote with respect to the second and third reading of a bill that we inadvertently passed last time. It needs to go to the Planning Commission and then come back here for a second and third reading. Can I have a motion to rescind?"

The Clerk said, "I have Councilmember Seekings and Councilmember Griffin."

Mayor Tecklenburg said, "Yes. Is there any discussion?"

No one asked to speak.

On a motion of Councilmember Seekings, seconded by Councilmember Griffin, City Council voted unanimously to rescind the vote with respect to second and third reading given to the following bill:

*An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by adding thereto a new Part 15 entitled Transit Accommodations to set forth requirements for transit accommodations for multi-family and non-residential projects reviewed by the Technical Review Committee to improve the mobility of the City by increasing the opportunity to utilize and options for transportation.*

Mayor Tecklenburg said, "Now, we'll go to our Council Committee Reports. Committee on Public Safety, Councilmember Shahid."

Councilmember Shahid said, "Thank you, Mr. Mayor and members of Council. First of all, we deferred items listed as J.1.c., J.1.g, and J.1.h. We got an update on the Hurricane/Storm Predictions. By the way, this is the 30<sup>th</sup> anniversary of Hurricane Hugo coming up in September. Nine to 15 named storms. Of those, four to eight of them will be a high storm of greater than 74 miles an hour strength, and two to four of them will be a major hurricane. One of the things that we talked about, regarding storm preparedness, is that the only shelter that meets the appropriate standards under FEMA for a shelter to evacuate is in Dorchester County. We do not have anything in Charleston City or Charleston County that is qualified for anything more than a Category 1 storm. We had a discussion about that and what we may or may not be able to do concerning owning or suitable shelters in the Tri-county area outside of Dorchester or Berkeley County. Going on to Item J.1.b. dealing with the Fire Department Policy and Practice of Abandoned and Damaged Homes, I had met with the Chief. Dan Riccio gave us an update on the number of abandoned homes or structures in the City of Charleston. I was somewhat surprised by this number. Since 2010, we had 400 building structures that were classified as abandoned. We're down to 250 of those. The problem addressing this issue is that these homes become a safety hazard. These structures become a safety hazard, but either they are this way because of neglect or fire damage or some other kind of catastrophe has happened to their property. One of the properties is right next door to Councilmember Seekings's home on Smith Street with that fire. So, there needs to be some kind of coordination with the BAR, the Building Code, Public Safety, Policy, and Fire as to how we can more expeditiously secure these buildings, so that they are structurally sound and move the process along on a faster track to get them from out of this category of being abandoned and a public nuisance to more along the lines that they are back into circulation as a functioning restored home. So, they're working that. They're going to create an Ad Hoc Committee to address that a little bit more in detail and get back to us on that particular issue.

Item J.1.c. was deferred. Item J.1.d. we received a report on. We had, as of the first of this month, 125 firearms stolen from unlocked vehicles. That's only the ones we know about, and those are the ones that have been reported as firearms stolen from unattended, unlocked vehicles. That's a problem because, as we know, those guns show up somewhere in another crime, either drug related or a crime of violence. We kicked around some ideas of what we may or may not be able to do to try to have better enforcement to get people educated on their responsibilities. Either take that gun out of the car when you go home at night and make sure that car is locked, but some process that we can address going into making sure those guns and all are better secured. We had a very long discussion about the placement of safety SROs. Is the Chief present? Chief Reynolds? So, let me sort of give you a breakdown on a little bit about this. So, we have SROs right now in our high schools and our middle schools throughout the City of Charleston, and that includes, of course, in Berkeley County, not just schools in Charleston County. We had a team of 18 SSRTs, and this is something that was created under Chief Mullen several years ago. It's a team of officers who are highly trained, highly specialized officers that roam around unannounced to the schools, and they are there to protect all schools, not just public schools, but parochial schools and private schools. It covers all of the areas in Charleston and in Berkeley County, as well. I want to make sure I've got these numbers right. As of today, we have 40 SROs assigned to our public schools?"

Chief Luther Reynolds said, "Yes, that's the future."

Councilmember Shahid said, "That's the future. Okay. So, why don't you give us that number, Chief, about what we have right now in our high schools and middle schools and sort of run through that?"

Chief Reynolds said, "We have 52 schools. Of that, we have 11 SROs full-time in each of our high schools and middle schools which includes Daniel Island, James Island Charter School, and a Daniel Island school. We have two officers at West Ashley High School. So, of those 11, all of our middle schools and the high schools have an officer full-time assigned, two at West Ashley High School. In addition to that, we have 18 officers assigned to the School Safety Response Team, which is made up of six clusters of three officers each that handle the remainder of the schools."

Councilmember Shahid said, "Yes, and, so, the discussion that the Mayor has been involved in, along with members from Charleston County and with the Charleston County School Board, is to change these numbers around. We will discuss the funding component of this. So, our 40 SROs would then include all of the schools including elementary schools, reduce the number of SSRT officers from 18 to 12, and the middle and high schools will maintain 11 officers in middle and high school. Then, 17 in elementary schools with three supervisors. So, we got into a little bit of the details as to how to fund this. To fully fund this is \$1.9 million more. Is that right, Chief?"

Chief Reynolds said, "Well, I think there is a lot of discussion behind that. That's a number that came out in our Public Safety Committee discussion. I think there is much more to that."

Councilmember Shahid said, "So, what we're going to be wrestling with, I think the long and short of this, is what will come up in our Budget Ad Hoc Committee is appropriating enough funds to cover for the first half of the academic school year which will begin in the fall of 2019. The County and the School Board have a different fiscal year than we do. We start in January. They start on July 1<sup>st</sup>. So, we're going through this process about funding and negotiating with the County School Board and the Sheriff's Office as to how to place these other additional SROs into our elementary schools. So, no action was taken on that, but this was just for discussion

purposes that we'll be wrestling with sometime in the near future. So, if anybody has any questions for the Chief, now may be a good time about discussing the SRO issue."

Mayor Tecklenburg recognized Councilmember Waring followed by Councilmember Moody and Councilwoman Jackson.

Councilmember Waring said, "Thank you, Mr. Mayor. Chief, could you touch on, in particular, not the high schools and the middle schools, but the way we were patrolling the elementary schools as to why we need to make this shift to what we're going to do now?"

Chief Reynolds said, "That's a great question. Thank you. So, let me back up a little bit. This is a painful difficult discussion, right? There are a lot of people who have a lot of emotion around this. We've had some devastating events that have occurred around our Country, but I'll start out a little bit with what a lot of people are reacting to, and that is what happened in Parkland, Florida at Marjory Stoneman Douglas. I spent a week in Israel late last year with a group. Among those was a parent whose son, Alex, was killed in that event. I've since been in contact with him, and there is a lot more we can do with school safety and securing. There is a good reason why we should be having this conversation. What happened in Parkland was not the lack of an SRO. They had an SRO. That SRO was not well-trained, was not well-equipped, and was not well-led. They did not have good training. They didn't have what we do here in the City. Their policy did not compel officers to go in. There was a tremendous amount of failures on the intelligence, or lack thereof, of a follow up. There were red flags everywhere on that event that lasted forever, and there were failures that were endless. We could actually recreate that by just putting an SRO in a school and saying, 'Okay, we're done. We did that. We have a gun, we have an officer. They're on site. Everybody should be happy now', and walk away. That is not the answer to this challenging issue, and I think we have to be thoughtful. We have to be evidence-based. We have to make decisions based on what is the best use of our resources, and just putting an SRO in a school is not going to accomplish that. We learned that from Parkland.

So, we can't have SROs in every one of our schools all of the time. The Hercules model is what NYPD currently does. I just had a dinner and went to a conference with the Chief at NYPD, Jim O'Neill, and asked him if they are still using that model, and the answer is yes. Well, New York has some experience in this. They've experienced vehicle-borne incidents, stabbings, shootings, explosions, and other type of real terrorist events, many of them. In fact, they've done a lot of research. They do not cover the elementary schools, and they have, I think, a very good deployment model. Ours is, in large part, based on that model. So, that's what we've been doing. What I would say is that we have to listen to our constituency, and there is a very loud voice. I can tell you I've been hearing it since I got here. This conversation is nothing new. This time last year in April when I first got here, I sat down with and have met on many occasions with the COO and with the Superintendent and with Michael Reidenbach. They want SROs in every school in the County. We have private schools. We have a whole variety of different schools that we have said from day one that we have a responsibility for protecting. They don't particularly share that responsibility or that perspective, so this is a painful debate that we need to have.

I don't think anybody wants our children to not have the greatest levels of protection and responsiveness. To me, the number one and most important component to a successful outcome where all of our kids are safe and have a great learning environment is the relationship that we have with the schools. I would like to think that we have a very good relationship. How that manifests itself and outcomes is when somebody calls on the weekend, they call at night, they call on a holiday, when there is an event, there is something on social media, there is a parent, there is a principal, there is an administrator, there is somebody that shares a concern that we're responsive. That we drive what we're doing, that we follow up on that, that we're trustworthy, that

we have that relationship, that regular communication. That's probably more than you wanted to hear, but I think that this is a discussion that needs to be had. How do we best protect our kids? It's a combination of a lot of things, and I think where we got to is there are a lot of people now, and it's not a new thing, they want SROs in the elementary schools. Some departments do it, some don't, and some have combinations like what we do. I think we have a good model. I think it's something that has been working very well and, again, it's, in large part, our success is based on our relationships, our training, our policies, our leadership, our equipment. All of our officers in SSRT have long guns, electronic control weapons, extensive active shooter training, and scenario-based training. There is a waiting list of people to get into SSRT. I'm not so sure we're going to have a waiting list of people that want to get into the elementary schools."

Mayor Tecklenburg recognized Councilmember Moody.

Councilmember Moody said, "Thank you, Chief, and I completely share your concern I guess I should say about exactly how this is approached. The elementary schools to me are completely different, and the security around those schools is completely different than that around middle and high school. The threat in middle and high school is kind of within. These are kids that would have guns, that are on social media, that are doing that kind of stuff, and that's why you have an SRO there to deal with those kids at that level. All of the high schools you've seen where there has been an incident that I can think of, it was really a student that was dysfunctional or upset that went into that school and caused all of that mayhem. At the elementary level, it's completely different. There is a whole different mindset, in my opinion. What you want in an elementary school is you want a rock solid barrier around that school. You want to be sure that you're watching or trying to penetrate that barrier because those kids are not causing all of the mayhem inside. It's people from outside trying to get into that school. So, you want to be sure that doors are locked, you want to be sure that fences are up, you want to be sure that gates are secure, and also that police officers when they are there can also build a relationship with the students. So, when I first heard this argument starting, and it seemed like the wave was just riding over us, and I'm thinking we may be doing this right, and we may have the right answer, but just to put an SRO there, we've got to be sure that they've got a whole different mindset than the SRO at the high school or middle school. I'm not a police officer, but most people look at a police officer and say, 'Well, that police officer can do everything that a police officer is supposed to do.' You all are trained to do different stuff. You've got a lot of stuff you do, but these police officers in these schools need to know they're not interchangeable necessarily, in my opinion. So, I'm concerned that we're kind of being shoved aside with our SSRTs and not being listened to. I don't know exactly where this is going, but I'm concerned about that."

Chief Reynolds said, "I can tell you that the Mayor has been very supportive of SSRT, what we've been doing, how we've been doing it. There is a loud voice from the County, from the community, and there are a lot of people that want SROs in the elementary schools."

Councilmember Moody said, "I think it's because they don't exactly understand the role of the different officers. Anyway, I'm concerned that we're spending all of this money, and we may be spending it in the wrong way. The other part that doesn't seem to get a lot of attention, I think it does maybe at the County level, but not at the school level, is they're really focused on the public schools. That's really their concern."

Chief Reynolds said, "That is correct."

Councilmember Moody continued, "In West Ashley, we have Addlestone Hebrew Academy that could be a very lucrative target I would think. We ought to really be watching that. Porter Gaud has elementary and high school, Blessed Sacrament, the church school over there."

All of these private schools, those are citizens of this City and taxpayers, and they pay school taxes too, but they're not the same element of concern at the school level, in my opinion, that there is. I'm not trying to slam the schools because they're doing what they're supposed to be doing, but we've got to watch out for all of them."

Chief Reynolds said, "If I could just add to that, not to sidetrack, but I was listening intently as I always do. I like the idea of the alert system, and we'll follow up on that. I think that's a good idea, but we have finite resources, and what are we focusing those resources on? We just had a shooting on Harris Street yesterday. A 16-year old was shot doing landscaping. We just had a homicide about 5:50 a.m. this morning. We will be and need to be focused on that in all of the areas and all of the discussion. It just happened today. If you were to look at our elementary schools and ask how many calls for service have we had in the last five years, in each one of them, my guess would be close to zero, if not zero. It doesn't mean it's not important. It doesn't mean it's not part of our mission space. It doesn't mean it's something that we shouldn't be intimately and very concerned about. But, I can tell you, there is a very loud voice, there is a cry, and that is to have an SRO in every elementary school. If you said, 'Hey, Chief, what do you think? Would you like to do this?' I'd say, 'Sure.' I've talked to Chiefs that have them in the elementary schools. It's a great fit, the schools love it, and the officers enjoy it. Mt. Pleasant, North Charleston, and the County Sheriffs in the other areas of the County have them in the elementary schools. That's the model that a large part of Charleston County is adhering to. We've resisted that until now. We've kind of opened that conversation, I think, would be an accurate way of putting it."

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, "Thank you, Chief, and thank you everyone. Now that I've listened to you, in particular, and the other Councilmembers who spoke ahead of me, my first question, because my information up until this day was what I read in the newspaper seemed like we were sort of succumbing to that wave of thinking. I, personally, as an older parent, but I have two teachers, one at the College of Charleston and one at Wando High School who is about to transfer to teach at Porter Gaud next year, I always think about the school setting. I was very impressed when I took some time to understand our model compared to the typical 'put an officer in every school.' My father was an elementary school principal in a different time, but it was during the Civil Rights era and in the Chicago area, so they always had safety at the top of concerns for the administrators. He always felt like it was sort of the leftovers that were assigned to the schools just because you can't have an officer who is going to sit in a stationary job all day long and engage the same level of aptitude and challenge and motivation. It's just a fact. So, I think that we should be very considerate of the pent up demand that's being asked of us but, at the same time, be strong. We're Charleston in ways that the rest of the region has come to see us in some different aspects of our maturity and our authority and our differences as a community. So, I don't think we should necessarily succumb to the wave, and I'm very glad to hear you say that we haven't made up our minds. I think it's a huge budget decision. I remember last year during the budget I wanted to increase our budget to a million and a half dollars by raising a millage point on the property tax, and we couldn't find that money. So, we're talking about a lot of significant sacrifices we'd have to make out of our budget this year if we're going to be honoring something that isn't necessarily coming from us systemically, so I say bravo."

Chief Reynolds said, "I would add that what our Chair Peter (Shahid) and Michael (Seekings) and everybody, I think this is why we put this on the table in the Public Safety Committee is to have this debate. We put it on the table to start that discussion. There was a stipulation from day one that Council has the Ad Hoc Budget Committee and a process to proceed

with and there has to be discussion about this. I think that's what we've said from day one, so hence a difficult decision like many of them that you all face, and there are finite resources."

Mayor Tecklenburg recognized Councilmember Shealy followed by Councilmember Shahid.

Councilmember Shealy said, "Thank you, Mr. Mayor. After the Public Safety Committee, I did a little searching and found a grant that's potentially available. I don't know whether, and I may not have given Ms. Wharton enough time to look at that and see, but I just wanted to see if anything has come of that. Are we eligible as a City to apply for that? It was a little gray there, so I didn't know."

Chief Reynolds said, "I think we are. I don't have a good solid update, but Chelsea Taylor has it, and she's running with it. That was one of the many things that the Mayor directed me to also look at to see if there were any other alternatives through funding."

Councilmember Shealy said, "Great. Thank you."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "Well, I just want to come back to wrap up my report."

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, "I think everybody has made some really, really good constructive comments here, and you have to praise our residents first for wanting more safety because, let's be honest, one school shooting is too many. Unfortunately, it seems like we turn on the news every other day, and something is happening in some form in our Country, and unfortunately, with that outside problem, it doesn't matter what kind of school it is. Whether it's elementary, middle, high school, college, we have people in this world that want to inflict harm on others, and they don't care. Obviously, once you hit middle school, and you start getting to that maturity level, then you have the inside problems which are, for example, I've seen kids that go hunting in the morning before they go to school, and they've got a gun in the back of their car, but by having an officer on site, you can fix that situation. There have been times where you get to middle school or higher, and there are drugs that happen to be in the school, and having an officer there you have the ability to correct the issue right away. Luckily, in elementary school we don't necessarily have those problems, but we still have people in this world that are looking to harm others. So, even if we can't find the money to put an officer in every school, I'd say to that, Public Safety wise, we always seem to find the money. We just always have, and we always try everything we can to put safety first, but if for some reason the consensus was we're not going to put an officer in every school, we still need to take the advice of what Councilmember Moody is saying and maybe have an officer on patrol go and check doors at the schools while they're out patrolling, or find some way to make sure that that school is as safe as possible. So, what I'm saying is everybody just made some really, really great points, and yes, I agree with you, Councilmember Moody, there is a differentiation there between a true adolescent in elementary school and once you hit that maturity age, the sort of vices and other problems that we face. We have got to make sure that our parents and our loyal residents of Charleston when they send their kid to school, we just celebrated Mother's Day and Father's Day in the last couple of months, that they are safe. I don't think there is more pride and joy than being a parent, right? So, their concern is the safety of their kids as they go to school, and that's something that we have to make sure that we take every effort to ensure that their kids, when they step foot in those doors, we're doing everything we can to keep them safe. Thank you."

Mayor Tecklenburg said, "Thank you."

Mayor Tecklenburg recognized Councilmember Moody.

Councilmember Moody said, "I just wanted to ask a budget question. I know as Councilmember Shahid was giving a lot, of 19 and 40 and all of this kind of stuff, how much money are we getting now from the school district? I know they reimburse some level on the SRO people. They give us nothing on the SSRTs and particularly, nothing for private schools. So, there was a number that was thrown out, \$1.9 million or something. Is that net? I mean I'm assuming our number from them would go up."

Chief Reynolds said, "Yes, so, I think I can answer that, and then I'll let Amy add and correct me if I've missed anything. Everything you just said is correct, and on average, an officer's salary range, etcetera, is about \$100,000.00. It's a number we've been using just to make it easy. So, if we were to say we're going to cover 18 elementary schools tomorrow, and you add a supervisor and whatever, that's kind of where that number came from generally. There are different ways to go about this. If we were to cover all 18, we've said that we would take six of the 18, so you would still have 12 SSRTs and transition those to elementary schools. The sheriffs have agreed to take, and we've asked them and there is some funding, for the first year, to take six sheriffs and do it until we can take over. Then, as has already been stated by Councilmember Shahid, their budget is July. So, they have some monies to help us to begin. But, in terms of longevity and the tail to that and what that looks like long term, I think Amy's trying to be all encompassing with that number. So, we have some ways we could do something September 1<sup>st</sup>, which would be much less, and the Mayor has not committed to any of those numbers and certainly not anywhere near that number. That number is just something that Amy, I think, has thrown out. There are different increments to do more with the elementary schools for a much lower, I think, City cost. But at the end of the day, the schools pay about, it went up this year three percent, around \$37,000.00 per officer, which is just over a third. So, they're asking, and essentially demanding, that we have an officer in every elementary school, but they're going to pay a third of that. They've budgeted for 18 at a rate of a third."

Councilmember Moody said, "Well, that's what I was trying to get at if they're going to give us a third of 18, and we're paying the whole of 18 now, we would have some net."

Chief Reynolds said, "Correct."

Mayor Tecklenburg said, "Benefit. Correct."

Chief Reynolds said, "That is correct, and right now, they're paying, of the 11, nine are theirs. Of the 11 that we're full-time providing, nine are theirs, and they pay six of the nine, a third of six of the nine."

Mayor Tecklenburg recognized Councilmember Lewis.

Councilmember Lewis said, "Well, we know this conversation is going to have to come up again for another day, but the cost of officers that we've got, just like Councilmember Moody said, we've got a lot of private schools. They are covering not only just elementary schools, but they're covering private schools. If we take these officers away, we've got to look at some way to try to help these private schools because these are citizens, too. So, I think it's another conversation for another day."

The other thing, in the Councilmember report of the Public Safety Committee, two weeks ago when we had the bad weather they concentrated on downtown Rutledge Avenue and

Calhoun Street. I've stated it, I've said it, and I'm going to say it again. When they shut down the Septima Clark Expressway, all of that traffic that's coming from West Ashley is going to hit Ashley Avenue, and that traffic is going to come down Sumter Street. That traffic is going to go on King Street to Huger Street, and when Huger Street is flooded, they don't have anywhere to go. They're going to turn around and come down King Street to Line Street. When they get to King Street and Line Street, it's flooded. So, our people at the MEOC Center, when they open it, they need to take a good look at where they're sending this traffic. They shut down Septima Clark two weeks ago, and every bit of traffic that came off of I-26, they sent to Carolina Street to King Street and King Street to Line Street. Then, there wasn't one person from Public Safety within two hours going down King Street. There was only one Fire supervisor truck that came through that street. Nobody from Public Works and Utilities, nobody from Stormwater, and nobody from the Police Department. I sat on that corner for two hours on the corner of Carolina Street and King Street. So, we need to look at when we talk about flooded streets and directing traffic from off of I-26 to come off of King Street, we better look at getting this flooding problem solved on the corner of Line Street and King Street and on the corner of King Street and Huger Street. We've had two cars turn over already flooded on King Street and Line Street. Eighteen cars that flooded out had to be pushed in the Post and Courier parking lot and, gentlemen and ladies, the weather is coming. We've talked about the predictions for storms. It's coming. So, we've got a City, and we are one City. We need to stop concentrating on just downtown, but we need to concentrate on getting people out of the City when they're trying to go to Mt. Pleasant or either go to North Charleston, and how to get them out of the City when Septima Clark is locked down. This is serious. It's very serious. So, Public Safety look into it. I just wanted to mention it, and I hope Public Works and Utilities thinks about it, too, because we've got to. I know we're working on some plans, but the weather is getting bad, and just come to Line Street. Come to King Street because you all will see what I'm talking about. You all think I'm blowing smoke, but I'm serious. We're looking at something very terrible to happen in that King Street Corridor if we don't get some of this water problem solved and stop just concentrating on downtown, on Rutledge Avenue or Broad Street, or Calhoun Street, but we need to concentrate on King Street between Line Street and Huger Street. Thank you."

Mayor Tecklenburg said, "We do believe you, Councilmember Lewis."

Mayor Tecklenburg recognized Councilmember Shealy followed by Councilmember Waring.

Councilmember Shealy said, "When we were looking at our numbers of SSRTs to SROs, I know we were saying elementary schools, but I want to make sure we're not leaving Orange Grove Middle out of that, that that's included in those numbers because I would assume you've got to have an SRO assigned there, as well."

Chief Reynolds said, "Correct. Do they currently have an SRO?"

Councilmember Shealy said, "Orange Grove Middle School does not have an SRO. We use SSRT for Orange Grove Middle, so I just want to make sure we're not missing on our numbers."

Chief Reynolds said, "Correct, an SSRT. Right."

Mayor Tecklenburg said, "Is it a charter school?"

Councilmember Shahid said, "Charter school. Yes."

Mayor Tecklenburg said, "So, this is another fallacy of this whole conversation is they're requesting these 18 SROs, but they're just the non-charter public schools. So, you also have what I consider public charter schools that aren't being included, and that's why the intense need is for us to continue a robust school safety response team like we have in place now. So, anyway, I think this discussion could go on for some time, so I'm going to refrain from further comment. We've got a lot going on."

Mayor Tecklenburg recognized Councilmember Waring followed by Councilmember Shahid.

Councilmember Waring said, "Well, that was my question that I really wanted to get to initially, but I yielded, obviously, to everybody else. Has anybody shown where our current system does not work for elementary schools?"

Chief Reynolds said, "No, I think, again, I think there are a lot of people if I asked you do you want a bag of gold? Of course you're going to say, 'Yes I'll take one.' If I asked you as a parent, would you like an SRO in your elementary school, of course you're going to ask for that. You're going to demand that, and that's essentially what's occurred in the County. The County School Board has said we want an SRO in every elementary school. There is not funding for that, but that's what everybody wants. So, I would argue that what we have been doing, and the Mayor has argued that and defended it, and I think very strongly supported, as have all of you because we had this conversation collectively last year, that the SSRT Program is actually working very well. The feedback from the principals, the parents, and I'll also add along the lines of, again our relationship with the schools, which to me is paramount, that I have listened and said what else can we do. We did, over the last six months, create an off-duty detail at the elementary schools. The sheriffs took eight. We took eight, and we didn't fully have officers all of the time, but we had a much greater presence, so very low cost comparatively and had a presence. The beauty of SSRT and our relationship is if you're a principal and you say, 'Hey we have a concern.' Boom, you get three officers. 'We have an issue with traffic.' Boom, you get five officers. 'We had a fight, we had a shooting, and you know we've had some issues in some of our communities.' You don't just get one. You get whatever you need. We have that relationship. We're that responsive. Whatever it takes is what we'll do, and we do that often. But to just say, to be able to say we have one everywhere, that's the debate. There are a lot of people demanding that that happen, and that's a difficult ask, and it's very costly."

Mayor Tecklenburg said, "That's right."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "I'm about half way through the report."

Mayor Tecklenburg said, "We're about half way through the report. See if you can move this one."

Councilmember Shahid said, "I will try my best. I just wanted to come back and close the circle, but I did want this discussion to come before the Public Safety Committee and for Council to have a robust discussion about this subject. I know we'll be following this on Public Safety, and I know we'll be following this back on our Ad Hoc Budget Committee, but I just want to make some real quick points. All of our children, as has been said, are our priority, including those who are in the private schools, the public schools, the charter schools. We've got to cover all of them, not just the ones in our traditional public schools. We do have a limited amount of resources. We don't have a well that goes all that deep with unlimited resources. The one thing that we have

said a lot about this, but we need to just point this out, we have a highly professional Police Department, and we have a wonderful Chief, and we have a wonderful staff, but at some point and time, we've got to listen to them. They know what they're doing, and we've got to put our faith and trust in how they're proceeding with this, and I support them completely on that matter.

I'm going to jump ahead to the last thing that we talked about, and we made a recommendation concerning what Ms. Zimmerman had brought up in the public comment part. On the issue with this hit and run with Kacey Jay, we discovered there was a loophole regarding a vehicle, that if it hits an object that's not a vehicle, and an injury is not involved, then that person does not have the legal responsibility to stop. So, what we're recommending is for our Legal advisors to prepare an ordinance to close that loophole, so that regardless of the injury that one person may suffer from a collision with another vehicle, that that vehicle operator has to stop. If they hit a bicyclist, they hit a rickshaw, they hit a tree, that that person has an obligation to stop that vehicle so the police have an opportunity to do an investigation. So, that ordinance will be coming back to us hopefully in the near future and that's it, Mayor. I think we've covered enough ground."

Mayor Tecklenburg said, "Thank you very much."

Councilmember Mitchell said, "Amen."

Chief Reynolds said, "Can I add just one update on the cameras?"

Mayor Tecklenburg said, "Yes, sir."

Chief Reynolds said, "I think Councilmember Mitchell or somebody mentioned the cameras. They were not working yesterday. They are working now. I was just briefed this morning. I had the same concern, and they're about ten years old. The line in sight with the trees and a whole lot of issues that I don't need to get into, but they have been addressed, and they've been up and working since yesterday."

Mayor Tecklenburg said, "Right. Thank you, Chief. Next our Committee on Public Works, Councilmember Waring."

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

The Clerk said, "Your report was for information?"

Councilmember Shahid said, "Yes, that is correct."

The Clerk said, "Thank you."

Councilmember Shahid said, "A lot of information."

Councilmember Waring said, "Thank you, Mr. Mayor. Everything on the Public Works agenda that came up for a vote passed unanimously. I would like to ask a privilege to skip to Item 2.b. and then come back to the Project Manager's Update. The issue about authorizing the Mayor to execute the tree protection agreement, this one has been around a good while, and we have a good, comprehensive solution that passed unanimously. I know Mr. Cassis and his team are here in case you all want to address any issues directly to him. So, I would ask the privilege that we make a motion to pass Item 2.b."

Councilmember Shahid said, "Second."

Mayor Tecklenburg said, "We've got a motion and a second. Is there any discussion on that item? This is the agreement with Dominion Energy regarding tree trimming, pruning, but I would also point out to Council that it includes the formation of an undergrounding Task Force because the ultimate solution in our neighborhoods that have beautiful trees is trying to get those utility lines underground. The system we've had in place for some time has been a little cumbersome and slow. So, we're going to get a group together that will have some responsibility over this matter and help to move it along."

Mayor Tecklenburg recognized Councilmember Moody.

Councilmember Moody said, "We approved this yesterday at Ways and Means, and it's going to come before us. This is only one of those issues."

The Clerk said, "Right. It's going to be in the Ways and Means and City Council agendas."

Councilmember Moody said, "Yes, I'm just wondering if we're approving it twice or what?"

Councilmember Waring said, "Yes we are."

Susan Herdina said, "We had two separate matters with Dominion Energy. This was one, and I think there was an amendment that was proposed to add a Councilmember from the Public Works and Utilities Committee as part of the tree protection agreement, and that was recommended to go forward."

Councilmember Moody said, "That's just Riverland Terrace, right?"

Ms. Herdina said, "Then, there is a separate agreement for the City to participate in the Riverland Terrace undergrounding agreement."

Councilmember Moody said, "Okay."

Mayor Tecklenburg said, "That was on Ways and Means."

Ms. Herdina said, "That was on Ways and Means."

Councilmember Seekings said, "They both were on Ways and Means."

Councilmember Moody said, "Yes, I'm just looking at the Ways and Means. If you go to the Ways and Means, that Riverland Terrace is there and also the protection and pruning of trees is there. I'm just trying to figure out where we're--"

Councilmember Waring said, "Yes, we're just approving on City Council, that's all."

The Clerk said, "Whatever is approved in the reports is also a part of Ways and Means."

Councilmember Shahid said, "We're doubly approving it."

Ms. Herdina said, "I think we're doubly approving it."

Councilmember Moody said, "I just wanted to be sure I wasn't--"

The Clerk said, "It's all in Ways and Means again."

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

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, "Thank you, Mr. Mayor, and I was going to mention this yesterday, and it slipped my mind. I know that the Public Works Committee has a lot on their plate currently with everything that's going on in the City, and I see Mr. Cassis is sitting here. In this conversation about Riverland Terrace, I think one of the things that would be good, at least quarterly if not more often, is to put on Public Works an update on where we are with various undergrounding projects in the City because there are some that have been talked about, some that are on the books. The one that comes to mind is Ansonborough, plus the Gaillard Center. So, it's probably a good idea to start thinking about that and where we are with these projects so we can have some information and see if there is something we can do to push some of them along all over the City. So, if we can, do you mind putting that as a part of the agenda? That would be great. Thank you."

Councilmember Waring said, "Glad to add it to the agenda."

Councilmember Seekings said, "Thank you."

Councilmember Waring said, "Thank you."

Mayor Tecklenburg said, "Yes, sir. Would anyone else like to be heard on this matter?"

No one else asked to speak.

On a motion of Councilmember Waring, seconded by Councilmember Shahid, City Council voted to approve Item 2.b. of the Public Works and Utilities Report as presented:

*Request authorization for the Mayor to execute a tree protection agreement with Dominion Energy South Carolina, Inc., formerly known as South Carolina Electric & Gas Company (the "Company"), governing the protection and pruning of trees on private property, within City rights-of-way, and on City-owned property by the Company. (AS AMENDED)*

Councilmember Waring said, "Mr. Mayor, I would like to move back into the Project Manager Updates, and I guess we'll be hearing from Mr. Fountain."

Mayor Tecklenburg said, "Mr. Fountain, please come forward."

Matt Fountain said, "Thank you, Mr. Mayor and Chairman. In brief, the updates from the Utility Committee meeting, we had an update on the Spring/Fishburne Phase 3 Project. That's the deep tunnel work. The added concrete lining continues and, as we discussed to some extent also at Ways and Means, we do have the current inspection services scheduled to be exhausted for funding sometime in the August to September time period based on delays to that contract run date. Spring/Fishburne Phase 4 is the wet well and outfall component of the project. The contractor has now submitted their work plan to the Army Corps of Engineers for review, and the contractor is also coordinating with the DOT regarding mobilization of trailers to the site within the site location between the two bridges.

On the Low Battery, we've completed the pre-qualifications component of that project, and then we're preparing our actual bid documents for those pre-qualified firms. The Army Corps of Engineers is reviewing our MOA with the State Historic Preservation Office that they requested in support of that permit application. Now it's just the last stage to get that permit completed and then CWS. We're finalizing our plans for their utility relocation work as part of that project at the same time. We do have an emergency repair contractor qualification request currently being

advertised, so that when we have these emergency repairs that have been coming up with more frequency we have a group of firms that we can price and work with on those repair projects. Along those lines, the Brick Arch Rehabilitation Pellet Project, we've talked about trying to do the arch that runs from Coming Street down to Tradd and Logan Streets. We're working on the qualifications package now, and we should have that ready to go out within a month or so as well as that on that project. Forest Acres Phase 2, we had a productive discussion with AT&T last week with the duct bank relocation versus alternate design scenarios as the two options for how we move that project forward regarding the conflict with the duct banks on that on Playground Road. We've moved to substantially complete on our property acquisition. We have one remaining owner who has agreed to the tentative offer we've extended, so we're finalizing that work, as well. We do have the potential to get Phase 2b roughly in line with being advertised for Phase 2a, so we're trying to see if we can accelerate Phase 2b a little bit to have both of those come out for bidding at the same time period potentially. The Market Street Project, we're addressing TRC comments as those are mostly being submitted as we speak. It's mostly minor comments regarding striping plans, landscaping, and stormwater. We are also working with CWS to finalize their plans for their utility work on that project. At that point, we'll be able to provide the plans to Dominion to be able to underground the power, hopefully, along that project on an MOU we have with Dominion.

Next, the Central Park Wambaw Drainage Model, we had our initial site visits by the modeling team last week which actually timed out well with the significant rainstorm that we had. So, they got good field data from that, and we'll have some good input initially into the survey needs and the rest of that model for creation. The Hickory Farms Diversion Channel, the design is moving to the TRC process and property acquisition. Huger/King Drainage Improvement, the scope negotiation is done with the consultant at this point for the project. I think, if I understand the procedures right, that will come to the July meeting for Public Works and Utilities. Then, depending on what we have from the Public Works and Utilities Committee, we would come to the August meeting, potentially, for Ways and Means to be able to award that contract. In terms of the Floodplain Report, we did complete our Damage Assessment Training. We had 47 staff that were updated in Drain Session in preparation for hurricane season. So, that really gets us a much more thorough assessment team than we've had in years past based on the significant numbers of structures we have within the Special Flood Hazard Area. In the City, we're technically required to inspect every one of those properties when we have a major event. We've also completed our first round of demolitions on the FEMA buyout properties, and we're looking at moving into the second round of demolitions as soon as we can clarify our remaining property acquisition. We have contacted FEMA and had some discussion regarding ways we could break out base flood elevation requirements for different types of properties that are damaged, and we're still awaiting a formal response from them on anything at this point."

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, "Mr. Fountain, just to reiterate what we talked about yesterday, we are going to plan a public meeting in West Ashley for the Hickory Farms Project. Now that we're getting down to the nitty gritty with that project we want to make sure that all of the homeowners understand what the design looks like and what the actual process of that looks like. You and I had talked about doing that, and we can plan for that in July. Also, Mr. Mayor, just to reiterate what we talked about yesterday, we will have some public comment periods opening up in July, once we get the dates and location finalized about what the future of the Bridge Pointe property will look like. Also, the Dutch are going to be involved, and that's going to sort of be a big priority with how they look at their plan and how that integrates with ours. Just some feedback as I passed along that information to the Shadowmoss residents last night, I've already

received a ton of positive feedback that the neighborhood wants to be at those meetings. They're going to come full force, so the sooner the better that we can get those dates and location and get that spread out. That's going to be a really, really productive, successful meeting between the residents and City staff. Thank you."

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

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, "Thank you, Mr. Mayor. Just briefly, you mentioned Low Battery, best estimate on when we'll be ready to actually put that project out for bid?"

Mr. Fountain said, "So, we will be ready within a month for bid. The question is do we wait for the Army Corps of Engineers permit to determine if there would be an alteration to the bid? If we move forward with a bid and then there is something where we have to change design, of course that would open back up to change orders and requests from the contractors at that point."

Councilmember Seekings said, "I mean, what are we waiting for from the Army Corps?"

Mayor Tecklenburg said, "The permit."

Mr. Fountain said, "So, there is an agreement we brought to Council, and Council approved a Memorandum with the State Historic Preservation Office regarding how the Low Battery Wall is treated as a historic structure. The Army Corps of Engineers, part of their permit requirement is that was their last function that they required to complete their review. However, their review is technically open to any aspect of the project while they're completing it. We did get a contact from them end of last week that they are working on it, and they expect to have progress pretty soon, so I think we'll work out well on that one."

Councilmember Seekings said, "So, realistically once we get the Army Corps to act, then we'll be ready to put it out to bid?"

Mr. Fountain said, "Yes, we're finishing up with CWS, but CWS's comments are minor. It's basically being able to display the work being proposed for their contractor in a way that's easier for their contractors to follow. There are no actual changes to that work."

Councilmember Seekings said, "We've gotten everything taken care of with the DOT? We don't have any DOT issues, right?"

Mr. Fountain said, "So, the Murray Boulevard was the primary one that is taken care of. There are technically two encroachment permits for the tie-ins to existing DOT streets, but those are relatively standard procedures. We wouldn't expect any major change to occur from that type of scope work."

Councilmember Seekings said, "Thank you."

Mayor Tecklenburg said, "Back to Chairman Waring. Is there any further report?"

Councilmember Waring said, "Well, the Homestead Exemption was sent back to Counsel for a little bit more legal work to be done on it, so that was provided as information and the agreement between the City and the I think it's, is it Leucadia properties?"

Mayor Tecklenburg said, "That's deferred."

Councilmember Waring said, "That's deferred. It was deferred in Committee, so it should be deferred on our agenda, but with that, that's the extent of our report. Thank you, Mr. Mayor."

Mayor Tecklenburg said, "Thank you, sir. Next is our Committee on Recreation. Chairman Gregorie is not here with us today. Was there a Vice-Chairman present? Would you like to pick up on that?"

Councilmember Shealy said, "Yes. Thank you, Mr. Mayor. I'm Vice-Chairman. We also had Councilmember Shahid and Councilmember Wagner there."

Councilmember Griffin said, "I was there."

Councilmember Shealy said, "I'm sorry and Councilmember Griffin was there, but I would like to call on Director Kronsberg since he gave us updates on most of these things from our Committee meeting."

Jason Kronsberg said, "Good evening. I have a long list, and I'll try to get through these as quickly as I can. If you have any specific questions, just ask me. I probably won't hit all of them because all of them don't have updates, and some of them will be coming off the list the next time you see them. So, starting with Item 4, 1099 Meeting Street, we have completed our structural analysis of the building, and the consultants have told us what the use is going to be based on the ratings and the category of use, especially with regards to the gym. So, we're going to have to move the gym downstairs. The architects are working on floor plans right now and will be finishing up some of that stuff soon, so we can get it out to bid."

Councilmember Lewis said, "1099 King Street."

Mr. Kronsberg said, "Yes, sir."

Councilmember Lewis said, "You all have Meeting Street on here."

Mr. Kronsberg said, "I'm sorry. I meant Meeting Street. My apologies. Going down to Item 5.b. the Municipal Golf Course. The consultant in the case said his plans for the golf course renovations are nearly complete. We're waiting on a wetland and property line verification from the permitting agencies, well the wetland certifications. Once complete, a TRC application will be submitted, and once the project is approved and fully funded, we'll then enter into a RFP for construction. I don't have any updates on the fundraising, but I know that the private group is actively working on that front. Let's see, we'll come down to ordinances. I would defer to Legal on the ordinances to make it unlawful to violate a posted park rule if there is anything you want to address on that."

Councilmember Griffin said, "Mr. Mayor."

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, "I'd just like to say that both of those items passed the Committee unanimously."

Mr. Kronsberg said, "That's right. So, the update on the Stoney Field Project. There has been a lot of talk about the Charleston Battery (soccer team). We are continuing work with the project that the school district is working on, the Surcharge and Field Project. We are going to be doing some other maintenance work to the grandstands and the visitor stands."

Councilmember Waring said, "You're talking about Stoney Field?"

Mr. Kronsberg said, "Yes, what did I say?"

Councilmember Waring said, "You said the Battery."

Mr. Kronsberg said, "Right. The Charleston Battery, that's the next item, #7. A little confusing, my apologies."

There was laughter in the Chamber.

Mr. Kronsberg said, "This is the professional soccer team. The update is that the Battery is doing their due diligence to see if they can feasibly meet the requirements of the professional soccer leagues. The burden is their court, well, let me back up. The school district is finishing their plans for the field layout. Once we see if a professional soccer field can fit in Stoney Field, and the Battery could actually make certain upgrades that they would need to meet the FIFA soccer standards, it would come to public hearings and City Council for approval. So, they have a long way to go. We're not stopping with our work, but they are doing some stuff that is their kind of project. Let's see, that was #7."

Councilmember Waring said, "Before you leave that, Mr. Mayor, and I guess Committee members, in the event that their deal falls through, it seems like that isn't that stadium or that property sold? Didn't it sell? Do we have a Plan B to acquire some of that equipment if their deal falls through because it's going to be torn down? It makes sense to get a scoreboard and seats and concession equipment, etcetera."

Mr. Kronsberg said, "We don't right now. The school district is working on upgrading the scoreboard that is there. We don't have any project identified to get us that big Jumbotron from them. They have indicated in the past that they have lots of equipment and kitchen equipment and stuff like that. We don't have any room for it. The facilities, the spaces in Stoney Field are just locker rooms, and the concession buildings are really just small hallways that the school district serves hot dogs out of."

Councilmember Waring said, "Yes, I understand that, but if we're going to renovate this building, obviously we're not going to renovate it for the previous use, we're going to renovate it for future uses. So, again, I think a Plan B, if this equipment is going to go south of the border. If their deal doesn't work, and I know we're trying to be supportive of them in every way, but somehow let's say it doesn't work, it still seems like there may be an opportunity there to take Stoney Field to a higher level than we ordinarily would have been because of that equipment having to be moved."

Mr. Kronsberg said, "Right. Certainly, we could evaluate what they have to see if we could use it somewhere. So, I'll try to get through quickly. So, the two residences on Woodland Road Park property have been demolished. This is a piece of land on Woodland Road in West Ashley that was purchased many years ago as a greenbelt park. It was just the next step in getting that thing cleaned up and better for the neighborhood. I don't have a Golf Course Commission Report. I would defer to Laurie Yarbrough if there was a report to be had. Is there anything on the Golf Course Commission?"

Ms. Yarbrough said, "We have a meeting on Thursday."

Mr. Kronsberg said, "Then, Brantley Park, this is a joint project with the Town of James Island. There is a contract being developed right now that should be coming to you at a soon-to-be-determined Council meeting for approval. Longborough Exchange Agreement, as you all know you voted for this one to go through. We are working on our due diligence to make this

project happen. Right now, we have surveying happening. You approved a contract for professional services at your last Council meeting and we are going to enter into the analysis of what can and could be done there, as far as a waterfront facility. At the point where we get a permit for that dock, the land will be transferred to the City, and we will continue down that road on the project. Yes, sir.”

Councilmember Seekings said, “Because I think yesterday when we asked that we passed this we approved \$700,000.00 for the dock and for improvements to the dock. I had asked Councilmember Gregorie at the time where we were with this agreement. Are we somewhere towards getting this agreement done in place before we start spending a whole bunch of money? I mean this is post-litigation, right? So, we’re sort of in that gray zone of post-litigation trying to resolve this thing.”

Ms. Herdina said, “No, we have a settlement agreement in place that’s been signed and what it requires. I believe I briefed Council on it before, but basically it has several steps to it, and the first step following the effective date of the agreement is the parties get together and agree on the design for the dock and work jointly to get an OCRM permit. That’s the stage that we’re in right now. The second stage, and this is simplifying it, but then the second step is that once the permit is approved and the parties agree on the park design. Then, within 30 days, the HOA can raise the property to the City. Then, that’s where things take off after that. It’s going to be construction of the docks with the fingers and the park then the public park. So, yes, to answer your question, it’s been resolved, and we’re moving forward. The budget has been there for a while, so we’ve got the funding in place for the construction of the dock and other features.”

Councilmember Seekings said, “Thank you.”

Ms. Herdina said, “Thank you.”

Mr. Kronsberg said, “So, moving forward, the Waring Senior Center, Roper St. Francis has fully occupied the facility and we are working on getting it fully functional as far as from their programming point of view. Again, Stoney Field, the school district is moving along their surcharge project. The field has settled approximately a half a foot already, so gravity is doing its work. WPAL, which is the Wappoo Road Park Site, while we are sitting here, we have a selection committee member that went to the Mayor. So, that project will be advertising for an RFP soon for professional services. There are a couple of other things here. Corrine Jones Community Garden, Clemson students have constructed their garden shed and the Charleston Parks Conservancy is working with us in the Parks Department to do a layout plan and construct that community garden. Daniel Island Neighborhood Park #4, complete and open. Ferguson Village is complete and open. So, those are the items for the updates. Are there any questions?”

Councilmember Waring said, “I have one.”

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, “I know the Bender Street Park wasn’t on here. Where are we with Bender Street?”

Mr. Kronsberg said, “Councilmember Gregorie has asked that to be placed on the agenda for an update in the next Recreation Committee meeting. We have a page turner this week with the consultants, so construction documents should be nearing completion where we can get it advertised for a bid.”

Councilmember Waring said, “Thank you.”

Councilmember Lewis said, "Thank you."

Mayor Tecklenburg recognized Councilmember White followed by Councilmember Griffin.

Councilmember White said, "Do we have an official recommendation for a name for Park 4 Daniel Island?"

Mr. Kronsberg said, "So, there is a proposal, and it's going through the process. Laurie, do you know when that's coming?"

Ms. Yarbrough said, "I do. The Neighborhood Association has sent us a name. I'm meeting with the Mayor next week just to go over that with him, and it will be presented at the July Recreation Commission meeting. Then, it will go to the Standing Committee. So, we should have it in front of you all this summer."

Councilmember White said, "Okay."

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, "Just as a point of order, Mr. Mayor, can I go ahead and make a motion that we pass those two ordinances that were passed by the Recreation Commission meeting?"

Councilmember Waring said, "That's a motion."

Councilmember Griffin said, "Yes, sir, a motion."

Councilwoman Jackson said, "Second."

Mayor Tecklenburg said, "We need these two ordinances passed. They're listed on the end of the updated agenda. Is there a second?"

The Clerk said, "Yes, Councilwoman Jackson is the second."

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

*An ordinance to amend Chapter 22 of the Code of the City of Charleston, South Carolina, to include violation of a posted park rule to the list of prohibited activities in a park.*

*An ordinance to amend Chapter 2, Section 152, to specify the term of office and staggered terms for the Recreation Commission.*

Councilmember Griffin said, "Mr. Mayor."

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, "My comment was regarding the Charleston Battery, not the Upper and Lower Battery."

Councilmember Waring said, "I figured Mike had another maneuver going on."

Councilmember Seekings said, "We're going to do some soccer down on the Battery."

There was laughter in the Chamber.

Councilmember Griffin said, “The reason why I asked for this to put on the agenda is because I saw an article and was taken aback when it almost seemed like the article was stating that they were definitely going to be playing this upcoming year at Stoney Field. I was taken aback for a couple of reasons. Number one, we can’t play on Stoney Field for the upcoming season at all, any sports, football or anything like that, but number two, I think it’s important to note that no decisions regarding the Charleston Battery coming to Stoney Field have been made at this time. There have been some preliminary discussions about what it would take to have it done, but before a decision like that was made we would have to have a public hearing, and the neighborhood would definitely want to weigh in on this. Stoney Field, as we had talked about this yesterday, is a cultural icon of Charleston. It is, I would say, a very historic place in the City of Charleston. It’s the only football field in downtown on the Peninsula.”

Councilmember Waring said, “A point of order, I met my wife at Stoney Field.”

There was laughter in the Chamber.

Councilmember Seekings said, “Not at a rooftop bar.”

There was laughter in the Chamber.

Councilmember Griffin said, “We all have wonderful memories of--”

Mayor Tecklenburg said, “Truly historic.”

Councilmember Griffin continued, “Councilmember Wagner played the first game at Stoney Field a hundred years ago. So, that’s true and Mr. Kronsberg played his first football game and so did I at Stoney Field. Stoney Field is a special place. There is no denying that, but it almost seems like every time we put a little bit of work into Stoney Field, then everybody wants to use it. There is only so much it can take, and we know that the raising of the field is more of a temporary thing, and in a few years, we may have to do it again. That field is going to continue, over time, to sink. Like you said, it was built on a landfill. There are going to have to be some really long term answers that we make, but it almost is like what are they going to do for us? What are they going to give back to us? They want to use the field. I get it. They’re going to bring some good things. They’re going to bring more people to Charleston. We already have a lot of people coming to Charleston as it is, but we can’t always be the guys who give everything out. We’ve got to get something back. So, if they want to use this field, and the Neighborhood Association in that area is okay with it, and the community and the public hearings go well, and FIFA and whoever else has to weigh in on it, then at that point there has to be some sort of agreement. How are they going to make this field better and help us make sure that this field never ever goes away? Actually, Councilmember Gregorie mentioned it yesterday that eventually we ought to put Councilmember Lewis’s name ‘Lewis/Stoney Field’.”

Councilmember Shahid said, “All I can say about it is that it was supposed to be a secret.”

Councilmember Griffin said, “Oh, really?”

Councilmember Shahid said, “Yes.”

Councilmember Griffin said, “Well, he was going to have to know about it, regardless. Anyway, I just wanted to make those comments because I just think it’s important that people that live over in that area and are around that field understand that no decisions have been made. The discussions have been extremely preliminary, and there are still a lot of hurdles before something like that could ever happen.”

Mayor Tecklenburg said, "Thank you very much."

Mayor Tecklenburg recognized Councilmember Lewis.

Councilmember Lewis said, "I thank you for your comments because I was asked to wait until all of the negotiations and public hearings because the word is on the street now that there are three black Councilmembers, that just don't want this to happen with the Battery. So, I'm glad you made those comments."

Councilmember Griffin said, "I don't like to wait."

Councilmember Lewis continued, "I brought it up from the beginning, and I will wait to see what's going to happen. Then, I will let you all know. It might not. So, thank you."

Mayor Tecklenburg said, "Councilmember Shealy, is there any further report?"

Councilmember Shealy said, "Well, I just want to thank Director Kronsberg. You can see all that he went through here, and that's just a small portion of what he is responsible for. He has a lot on his plate, and I appreciate what he does. So, other than that, that's my report."

Mayor Tecklenburg said, "Okay. Thank you for the report, and we'll all have to thank Councilmember Gregorie for the normal, very ambitious agenda that he keeps for this Committee. So, next is our Committee on Traffic and Transportation, Councilmember Seekings."

Councilmember Seekings said, "Thank you, Mr. Mayor. The Committee on Traffic and Transportation met today at 2:00 p.m. to take up an important issue, actually it is an important issue, of entering into a Memorandum of Understanding between the City of Charleston, Berkeley County, and the Department of Transportation to install a traffic light at the corner of Clements Ferry Road and Beresford Run. It's hard to believe it takes a Committee to do that, but we did it. We did approve entering into the MOU. We will be the first of the three entities to sign in to this MOU. We will next go to Berkeley County. If they don't have any changes, then it will go to the DOT. If they don't have any changes, it will come back to us. It's a traffic light. For those of you like me who believe that every time a traffic light goes up, our quality of life goes down, as part of that MOU, there will not be another traffic light within a quarter mile north or south of that light. I guess that's good news. It did bring up a debate that I understand has been going on for some time amongst the residential communities up along that corridor and access along Clements Ferry Road. I think that's an ongoing conversation that continued after we had our T&T Committee meeting today with Mr. Lindsey and Mr. Benjamin. So, a traffic light is coming, it looks like if we can get the County on board and get the DOT on board, and the issue with residents up there that we need to make sure we keep an eye on as we get access off of Clements Ferry Road in and out of a very busy corridor. So, with that I do believe we need approval of this Council to send this Memorandum on to Berkeley County."

Councilmember White said, "So moved."

Councilmember Shahid said, "Second."

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

Mayor Tecklenburg recognized Councilmember White.

Councilmember White said, "I just want to thank the Committee and Mr. Benjamin for working on this item. The neighborhood, in particular, has really been begging for a light at this

intersection for at least four or five years, and there have been a number of developments that have occurred right around that area that have threatened the ability for us to have a light at that intersection. Subsequently, that will make a connection to the other side of the road, as well, that will ultimately end up being a new fire station in that same area. So, anyway, this will at least provide us with some protection over the next five years to ensure that an opportunity for a light in this corridor goes up, and it has to go at this intersection. So, again, I just want to thank everybody involved and for Mr. Benjamin for his work on this. Thank you.”

Mayor Tecklenburg said, “I would like to point out also that the other side of the intersection is where the proposed relocation of Enterprise Drive will be which is where our future fire station will go and how important this is for public safety for up and down Clements Ferry Road for access from our new fire station when that gets built. So, it’s important to the City’s public safety, as well. Is there any further discussion?”

No one else asked to speak.

On a motion of Councilmember White, seconded by Councilmember Shahid, City Council voted unanimously to approve Item J.4.a. of the Traffic and Transportation Report as presented:

*Memorandum of Understanding between the South Carolina Department of Transportation, Berkeley County and the City of Charleston to allow the installation of a traffic control signal at the intersection of Beresford Run and Clements Ferry Road as stipulated.*

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

Councilmember White said, “Move for approval.”

Councilmember Shahid said, “Second.”

The Clerk said, “Well, just a minute before you make the motion to approve Ways and Means, we need to go over some of the things that we did yesterday. For example, we deferred the Stormwater Management approval for Spring/Fishburne US 17 Amendment #17. We also deferred the Spring/Fishburne Amendment #19, and if you look at the bottom of your page, there was an approval to authorize the Mayor to execute a Transfer Agreement that was also deferred. Councilmember White, the record will show, voted nay on the Management Agreement with WestEdge, and then there was an item that was denied. It was the request for the Facility Use Agreement, which is that the City would allow the Charleston Area Regional Transit Authority to utilize 43 Sumar. That was denied. So, we have to do all of these, so we don’t vote on them, and then there was another one that dealt with the authorization of the Mayor to execute a Memorandum of Agreement for the City and Leucadia Coast Properties.”

Mayor Tecklenburg said, “That was deferred.”

The Clerk said, “That was deferred, correct, so you would not vote on those things. If you take it all as a whole, you voted on them.”

Mayor Tecklenburg said, “That’s right.”

Councilmember White said, “So, if it’s in order, as Madam Clerk just outlined, will move for the adoption of the report based on the comments that Madam Clerk provided.”

The Clerk said, “Councilmember Shahid abstained.”

Councilmember Shahid said, "I abstained on one issue."

The Clerk said, "Yes, you did."

Councilmember Seekings said, "I just have one comment, Madam Clerk."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "No, I just recused myself on the annexation."

The Clerk said, "I have it. Yes, he abstained on the annexation."

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, "Just very briefly, I believe the deferral of the two matters regarding the Davis and Floyd contracts were deferred with the proviso that we set up a scheme that it gets back to Councilmember Waring's Committee through Ways and Means and to this Council by our next meeting."

The Clerk said, "Yes, but on the approval portion of the agenda is what you're voting on now. It doesn't have that verbiage. It was deferred, you're correct."

Councilmember Seekings said, "Thank you."

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

No one else asked to speak.

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

---INSERT WAYS AND MEANS REPORT---

(Bids and Purchases

(Mayor's Office for Children Youth and Families: Approval to apply for a youth service grant award of \$2,000 in order to engage youth in service on nationally recognized service dates including the 2020 MLK Day of Service and the 2020 Global Youth Service Day. This grant will be submitted on June 14, 2019 due to the application deadline. No City match is required.

(Police Department: Approval of the FY19 Paul Coverdell Forensic Science Improvement grant application for technological enhancements to the Charleston Police Department Forensic Science Division. If awarded, the grant will fund \$96,380 for technology equipment and training. Due to time constraints, this application was submitted on June 4, 2019. This project does not require a City match. This is an after-the-fact approval.

(Parks-Capital Projects: Approval to accept 2019 Charleston County Greenbelt funds in the amount of \$5,700,000 for the purchase of an 8.46 acre waterfront property on James Island (Fort Pemberton). There are no matching funds for this grant and funding of the grant comes from the "Urban" Greenbelt funding allocated to the City.

(Stormwater Management: Approval to accept the SCRIA grant award for \$499,292 that requires a City match of \$302,141 to partially cover the construction costs of the Huger Drainage Improvement project. The City must submit the grant acceptance documents to SCRIA no later than June 23, 2019. The City match of \$302,141 is available through

- an existing project allocation of \$964,886 from the Cooper River Bridge TIF.
- (Stormwater Management: Approval of Spring-Fishburne US 17 Phase 2 Fee Amendment #16 with Davis and Floyd, Inc. in the amount of \$30,700 for additional Construction Engineering & Inspection (CEI) work due to delays that extended the completion timeframe of the project.
  - (Stormwater Management: Approval of Spring-Fishburne US 17 Fee Amendment #17 with Davis and Floyd, Inc. in the amount of \$348,208 for additional Design and Professional Service work in support of Phase 4 project work. **(DEFERRED)**
  - (Stormwater Management: Approval of Spring-Fishburne US17 Phase 3 Fee Amendment #19 with Davis and Floyd in the amount of \$1,171,514 for additional CEI services based upon the continuation of services beyond the original construction contract end date of July 5, 2019 to the current contract end date of October 11, 2019 and covers anticipated additional effort between the latest project date of completion (March 18, 2020). Approval of Fee Amendment #19 will increase the Phase 3 portion of the overall Professional Services Contract by \$1,171,514 (from \$5,300,670 to \$6,472,184). The funding source for this work is the State Infrastructure Bank (SIB). **(DEFERRED)**
  - (Parks-Capital Projects: Approval of Longborough Dock Professional Services Contract with Johnson, Mirmiran and Thompson for engineering for permitting and construction documents as part of the Longborough Dock Project. Approval of the Professional Services Contract will obligate \$44,300 of the estimated \$700,000 project budget. The funding for this project is 2017 General Fund Reserves.
  - (Budget Finance and Revenue Collections: An ordinance to amend the Code of the City of Charleston, South Carolina, Chapter 2, Administration, Article VIII, Finance and Fiscal Procedures, to add a new Section 2-274 to establish a process for waiver of permitting fees associated with City-owned projects.
  - (Request authorization for the Mayor to execute a tree protection agreement with Dominion Energy South Carolina, Inc., formerly known as South Carolina Electric & Gas Company (the "Company"), governing the protection and pruning of trees on private property, within City rights-of-way, and on City-owned property by the Company.
  - (Legal Department: Approval of Riverland Terrace Engineering Study Agreement with Dominion Energy
  - (Parks-Capital Projects: Approval of a Construction Contract with Hill Construction Services in the amount of \$8,958,507 for the construction of the Daniel Island Recreation Center. With the approval of the project budget, Staff is authorized to award and/or amend contracts less than \$40,000 to the extent contingency funds exist in the Council Approved budget. Approval of this will institute a \$10,813,883.85 project budget, of which the \$8,958,507 construction contract will be funded. The funding sources for this project are: Land Sales (\$948,000), S.C. Sports Development Funding Grant (\$52,125) and the 2018 General Obligation Bond (\$9,813,718.85).
  - (Approval to authorize the Mayor to execute, on behalf of the City, a Transfer Agreement conveying 105 Hanover Street to Charleston County Human Services Commission d/b/a Palmetto Community Action Partners for \$68,090.95 for the development of affordable rental housing subject to the City's HOME Investment Partnerships Program guidelines. (105 Hanover Street; TMS: 459-05-01-077) [Ordinance] **(DEFERRED)**
  - (Approval of a Management Agreement in the amount of \$225,000 between the City of Charleston and Charleston Digital Corridor Foundation, at property designated as 22 West Edge to manage and operate City's leased 8,000 sq. ft. office space for development of tech business, research investments, and jobs in the City. The property is owned by 22 West Edge Owner, LLC. **(Councilmember White voted nay on this**

**item.)**

(Request approval of the Third Amendment to Commercial Lease Agreement to extend the lease term for the James Island CPD substation for an additional five-year period with a two year option. The property is owned by Ann H. O'Brien as Trustee of Trust B u/w Paul H. O'Brien (102 Wappoo Creek Drive, Unit B-5)

(Request approval of a Facility Use Agreement whereby the City allows the Charleston Area Regional Transit Authority (CARTA) to utilize 43 Sumar Street for the purpose of conducting bus driver training and testing. (TMS: 352-08-00-006; 43 Sumar Street)  
**(DENIED)**

(Request authorization for the Mayor to execute a memorandum of agreement ("MOA") between the City and Leucadia Coast Properties LLC ("LCP") and all necessary documents associated with the relocation of an existing 48" corrugated metal pipe ("CMP") draining the 30-acre Queen Street basin, currently located along the boundary of the City's property known as Riley Waterfront Park (Charleston County TMS No. 458-09-04-051) (the "City Property") and LCP's adjacent property (Charleston County TMS No. 459-00-00-276) (the "LCP Property"); the abandonment of the existing drainage easement on the LCP Property; and the construction of a new system consisting of two (2) 48" Pipes and check valves with outfalls into the Cooper River within a new easement area located on the City Property, with the City to reimburse LCP for a portion of the improvement expenses. **(DEFERRED)**

(Discussion and request approval of acquisition of Washington Park HOA property (Forest Acres Phase II)

(Consider the following annexations:

- 1732 Elm Road (TMS# 355-11-00-120) 0.49 acre, West Ashley (District 10). The property is owned by Carol L. Jackson-Powell.

- 1617 Jessamine Road (TMS# 351-12-00-081) 0.14 acre, West Ashley (District 9). The property is owned by Albert Peter Shahid, III & Sarah Assemany Shahid.

**(Councilmember Shahid abstained from voting on this item and completed a Conflict of Interest Form which is on file in the Office of the Clerk of Council.)**

*Give first reading to the following bills from Ways and Means:*

*An ordinance to provide for the annexation of property known as 1732 Elm Road (0.49 acre) (TMS# 355-11-00-120), West Ashley, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 10. The property is owned by Carol L. Jackson-Powell.*

*An ordinance to provide for the annexation of property known as 1617 Jessamine Road (0.14 acre) (TMS# 351-12-00-081), West Ashley, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 9. The property is owned by Albert Peter Shahid, III & Sarah Assemany Shahid.*

The vote was not unanimous. Councilmember White voted nay on Item 16b of the report. Councilmember Shahid abstained from voting on Item 16(g)(ii) of the report and completed a Conflict of Interest Form which is on file in the Office of the Clerk of Council.

Mayor Tecklenburg said, "Now, I did want to commend Councilmember White and share will all of Council just a few renditions here of an important matter that was just approved, which is the construction of the Daniel Island Recreation Center. This shows a floor plan of the facility which will be nearly 22,000 feet, including a full gym and even a little additional gym space in the

meeting room over to your right. I just wanted to share how handsome I think this building is and what a great asset it will be to the City. Here is another angle of it, and this shows the inside corridor already planned as to how it will be designed and even decorated, I guess, and there is a nighttime view. It's going to be a handsome facility, a great addition to the City. So, Councilmember White, thank you for your leadership and thank you for all of Council's support for this matter. It's been a long time coming."

Councilmember White said, "Absolutely."

Mayor Tecklenburg recognized Councilmember Shealy.

Councilmember Shealy said, "Yes, I just wanted to mention, Mr. Mayor, that yes, this is located on Daniel Island, but the way our Recreation Department works and the way our school leagues work a lot of times using City facilities, everyone in the City will enjoy that, and I just say that from having a child that plays athletics and spends a lot of time right now at the Daniel Island School since we don't have a City facility. So, this goes to help all of our constituents. It's not just for Daniel Island."

Mayor Tecklenburg said, "Absolutely."

Mayor Tecklenburg recognized Councilmember White.

Councilmember White said, "With that, I want to thank again, I said it yesterday I'll say it again, thank you to all my colleagues and Mayor for your all's support and staff who have worked on this. It's a long time coming. The community is going to benefit as a whole, not just Daniel Island to your point. I would say that as you all do have your opportunity to come out to Daniel Island and children to come and play in the facility and make sure to stay and have lunch and spend a little money and support our businesses on the Island. I think they would greatly appreciate it, but I do thank everybody for all of their work on this. Thank you."

Councilmember Shahid said, "I just have a question for Councilmember White. Does he have any more seersucker suits that he wore the last two days?"

There was laughter in the Chamber.

Councilmember White said, "I think I'll work on a pop one next for you. How about that?"

Councilmember Mitchell said, "Moving on."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "Mr. Mayor, it does look good. I was just curious. Who designed it?"

Councilmember White said, "Rush Dixon did."

Councilmember Waring said, "Thank you."

Mayor Tecklenburg said, "What's their name?"

Councilmember White said, "Rush Dixon."

Mayor Tecklenburg said, "Rush Dixon. Yes."

Councilmember Griffin said, "Yes, Mr. Mayor, this is another opportunity to have a cool meeting space on Daniel Island because every time we have meetings over there we're usually in a tight church, but I can't wait for this to open up. Hopefully, it will have an office."

Councilmember White said, "At the back of the building where it splits where it's got that slant, that's actually a very large community area that you congregate in."

Mayor Tecklenburg said, "That's right. If we needed a big space, we could meet in the gym."

Councilmember White said, "It's actually got a catering kitchen in there too, as well, so just for what it's worth."

Mayor Tecklenburg said, "There you go. Alright. So, thanks, everyone. Next is our bills up for second reading. We have numbers one through seven."

The Clerk said, "But we do have a request by the applicant on Item #3. Christopher, did you say something? He is asking that it be deferred. So, Item #3 in bills up for first reading, one through seven. It will be one, two, four, five--"

Mayor Tecklenburg said, "Six, seven."

The Clerk said, "Correct."

Councilmember Shahid said, "Move for approval."

Councilmember Shealy said, "Second."

Mayor Tecklenburg said, "We've got a motion to approve one, two, four, five, five, six, and seven. Is there any discussion?"

No one asked to speak.

On a motion of Councilmember Shahid, six (6) bills (Items L-1, L-2, L-4, L-5, L6, and L-7) received second reading. They passed second reading on motion by Councilmember Shealy and third reading on motion of Councilmember Mitchell. On further motion of Councilmember Shahid, the rules were suspended, and the bills were immediately ratified as:

**2019-051** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 2037 LAKE SHORE DRIVE (JAMES ISLAND) (0.21 ACRE) (TMS #343-03-00-156) (COUNCIL DISTRICT 11), ANNEXED INTO THE CITY OF CHARLESTON APRIL 23, 2019 (#2019-028), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION. THE PROPERTY IS OWNED BY EAST BAY AIR LLC.

**2019-052** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 2234 PORTSIDE WAY (WEST ASHLEY) (0.29 ACRE) (TMS #353-12-00-016) (COUNCIL DISTRICT 2), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION. THE PROPERTY IS OWNED BY ELIZABETH BOHLER EUBANKS.

- 2019-053** AN ORDINANCE TO AMEND THE VERDIER POINTE PLANNED UNIT DEVELOPMENT MASTER PLAN AND DEVELOPMENT GUIDELINES, ADOPTED BY ORDINANCE #2008-158, BY MODIFYING THE LAND DEVELOPMENT GUIDELINES AND ASSOCIATED SITE PLAN FOR PROPERTIES LOCATED ON BEES FERRY ROAD (TMS# 301-00-00-028, 301-00-00-673, 301-00-00-674 AND 301-00-00-677).
- 2019-054** AN ORDINANCE TO AMEND THE CODE OF THE CITY OF CHARLESTON, SOUTH CAROLINA, CHAPTER 19, SECTIONS 247 AND 248 TO ENACT RULES OF CONDUCT FOR PUBLICLY OWNED PARKING GARAGES. **(AS AMENDED)**
- 2019-055** AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY KNOWN AS 404 WOODLAND SHORES ROAD (0.50 ACRE) (TMS# 343-11-00-104), 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 NATHANIEL WEST.
- 2019-056** AN ORDINANCE TO AMEND THE CODE OF THE CITY OF CHARLESTON, SOUTH CAROLINA, CHAPTER 2 SECTION 37 TO AMEND THE ORDER OF BUSINESS FOR CITY COUNCIL MEETINGS.

Mayor Tecklenburg said, "Next, we have two items up for first reading, and they're related. We've seen this matter before, but we had a joint meeting of City Council and the Planning Commission, and we reviewed a lot of parcels. City staff, upon that joint meeting, came up with some recommendations. I've already heard that there are a few properties that the owners have come forward and would like some more consideration, about the rezonings of their properties. So, we'll have to take those into consideration, but the overall intent, of course, was try to, 'if it's a duck, call it a duck'. If it's Heavy Industrial, then it ought to be Heavy Industrial and not Residential. So, we were trying to make that demarcation, so to speak, between Industrial zoning in our City and particularly for Residential and kind of separate the two. So, anyway, with that being said, I'll call on Councilmember Mitchell and then Councilwoman Jackson."

Mayor Tecklenburg recognized Councilmember Mitchell followed by Councilwoman Jackson.

Councilmember Mitchell said, "I just want to make one statement on the rezoning of properties in District #4. When I spoke to Mr. Lindsey earlier today, and I didn't want to throw a brick, I told him that I would ask that all of the rezoning in District #4, that they have to be taken out at this time until further notice because I was not aware of this. I said we have some of the properties in there that I fought against before, and it's back in rezoning again. I have not met with the community, and they were on the Upper Peninsula. They go up 12 to 14 stories, and they were supposed to meet with the community which is on Montford Street because there are a lot of homeowners back there, and if you have that going up to 12 stories there, you're going to hide that community. There is going to be traffic there, and that's not going to happen. So, I told them that everything in District #4, these parcels in District #4, need to be taken out at this time. I don't have a problem with the rest because that's not me, but take it out at this time. We have to revisit that again until I can get my hands on it and meet with the people in the community and find out exactly what's going on, until they meet with the community and let them know what's going to happen, that they're rezoning all of these properties in that area, so he said there wasn't any problem with that."

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, "Thank you, Mr. Mayor. My first thought was I'm not really talking about Item M-1, which is to remove the residential uses."

Councilmember White said, "I don't think there is a motion for anything yet."

Mayor Tecklenburg said, "There is not a motion for anything yet."

Councilwoman Jackson said, "Okay, but you're talking about the properties that are being rezoned first?"

Councilmember Griffin said, "M-1 and M-2 are--"

Mayor Tecklenburg said, "They're kind of related. Number one is to remove the residential entitlement from Light and Heavy Industrial Zone Districts basically, and then number two takes those parcels that we reviewed parcel by parcel at our joint City Council Zoning Planning Commission meeting where we made a judgment that this parcel actually does make sense to have residential use. So, then we asked staff to assign some appropriate zoning so that those parcels could maintain their residential entitlement."

Councilwoman Jackson said, "Yes, sir. I was at the meeting. I thought it was very productive, very well conducted. I'm sorry that you did have to miss it Councilmember Mitchell because I think you probably would have learned a lot, at least from above the map level. Obviously, you need to be responsible and talk to your community and make sure that everyone is understanding and on board with the land use changes that are going to be made in your district, so I'm respectful of anyone who needs to take the extra time, now that we're talking about all of the different rezonings from the Industrial zones to the different categories that we have laid out here. I would just like Mr. Lindsey to clarify for all of us and for the public. My concern is related to the fact that we have never enacted any changes to the Upper Peninsula Ordinance where our goal was to increase the opportunity or the requirement, essentially, as properties were going to be redeveloped in the UP category for Workforce Housing. So, that ordinance that has been deferred for several months now has expired officially, as of today. We don't have it to revisit today. It's still deferred, and so I would just like to clarify that, and we are changing some of these industrial properties to a UP designation. So, now that they would be rezoned, assuming that they don't come in for any actual concept plan or site plan approval or anything that would have to further their actual request of how many stories they're wanting to build or the details of their UP development, we would still have the opportunity of requiring them to do something about Workforce, assuming we're going to make haste in the next couple of months to revisit the Upper Peninsula changes in order to accomplish more Workforce Housing."

Councilmember Waring said, "Mr. Mayor."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "Before we discuss this, I'd like to get a motion on the floor. I'm going to make a motion to deny this change."

Councilmember Seekings said, "Second."

Councilmember Waring said, "Now we can continue the discussion."

Mayor Tecklenburg said, "We have a motion to deny. One and two?"

Councilmember Waring said, "Yes, one and two."

Mayor Tecklenburg said, "Okay. Let's hear a response, if we could, to the question asked."

Mr. Lindsey said, "In regards to the Upper Peninsula zoning, we were just discussing it. The change regarding affordable housing was made to the Upper Peninsula zoning. There were discussions about other items which were not made in regards to that, but the standard vesting rights apply in terms of timing in the UP and everywhere else."

Mayor Tecklenburg recognized Councilmember White.

Councilwoman Jackson said, "Which would mean that if someone gets their UP zoning today, then whatever is on the books for UP Zoning today is the only requirements that would be made of them."

Mr. Lindsey said, "That is correct."

Councilwoman Jackson said, "Forever, and those rights are transferred."

Mr. Lindsey said, "That is correct. Yes."

Councilwoman Jackson said, "Okay."

Councilmember White said, "So, I did get a call from the Realtor's Association this afternoon. I had not talked specifically about these items, the first item in particular, they're interrelated obviously. They had not been engaged in any discussion and I guess this change, at least per the gentleman I spoke with. Subsequently, the Homebuilder's Association wasn't nor, as I understand it, with the Chamber or anyone else. So, I'm not sure where we'll end up with this tonight with the motion to deny, but I would suggest that, number one, if this does press forward in any form or fashion, it does need to go in front of those groups for input. The second thing is I was at the joint Planning Commission meeting and had the opportunity to go through the discussion. We did certainly go block by block, parcel by parcel, but one of the things that I don't know has happened, and maybe it was because some people had mentioned that they don't want to be included in this change, is that I think we find ourselves when we make changes like this, I think we open ourselves up for litigation potentially. So, in something like that, it seems to me that, if we're going to move forward, the right thing to do and the right way to do this with property owners is respecting property owners' rights. There are 20 or 30 parcels here. It's not like it's hundreds and hundreds of parcels. It's a manageable number. I think the right thing to do, to respect property owners' rights, is to go and have those property owners have a discussion, whether we bring them collectively together or one by one, whatever the case may be, but have them agree to this. Have them agree to the zoning change because some of these things do make sense.

Again, when we take all of us or those who could make it, plus Planning Commission, and we have a discussion about making appropriate changes I think that, I don't want to think that my time was wasted or anyone else's time was wasted when we went through that exercise, but at the same time I do think that, to be respectful of property owners, we need to go directly to them, and quite frankly, have them sign up for the change. Then, I think that also does hopefully eliminate the ability for the City to open itself up for litigation when we make changes like this. So, that would be my recommendation. As it stands, the motion on the floor is to deny. I'm going to support the motion because I'm not prepared to vote on this as it stands. If there was a motion to defer, I would have supported that, too, as well, but again if after whatever happens this evening there is still some energy around making some of these changes, then my recommendation is to

communicate with these property owners one on one and get them to agree to these changes. I think we'll find that we can move the ball a lot further forward when we do communicate and involve them directly."

The Clerk said, "It was Councilmember Shealy, Mayor."

Mayor Tecklenburg said, "Councilmember Shealy was next?"

The Clerk said, "Yes, and then Councilmember Griffin."

Mayor Tecklenburg recognized Councilmember Shealy.

Councilmember Shealy said, "Thank you. I looked at some of these TMS numbers and where they were located. Some are in my district, particularly the ones that start with 356. There are about seven of them that we're looking at Light Industrial to General Business. Those are all around that Crosstown Church area right there at Bees Ferry, and the problem is LI allows 19.4 dwellings per acre. General Business includes 26.4. We've got a lot of construction going on up there, and we just can't support that with our current infrastructure right now. It's a mess right now. Of course, we're widening Glenn McConnell, but I can't support this just because the infrastructure is not in place to put 26.4 dwellings per acre there when we have it currently at 19."

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, "First off, I want to thank the Mayor for bringing this issue up because I do think that any time that we can simplify our zonings a little bit, it's a good idea. Here is what I'm concerned with about this, and here is why I think we should probably support tonight this denial, because I think that it needs some work. We need to treat all of these properties separately. We don't need to lump them all together. We had a couple of homeowners come up here tonight with letters, and they're like, 'Hey, I'm really concerned. I'm getting a rezoning, and I don't know anything about it. I got this letter in the mail. I need more information', and that, to me, is a red flag. I looked at their faces, and they were legitimately concerned and very scared because the first thing that comes to mind when people see a rezoning is that they're going to get downzoned. We don't want to do that. Councilmember Mitchell says, 'Well let's take District #4 out.' We can't really do that. That's more of a spot zone. We can't do that either."

So, we need to start fresh on this and what I did is, when this issue first came up, I went and met with the entity that I thought it affected the most, which would be the Ports Authority. As we all know, the Ports Authority is going through some changes. We have a new terminal coming into the Charleston area, the Leatherman Terminal, which is going to be the biggest container terminal. It's going to be bigger than the Wando Terminal that we have now. Charleston is going to be the deepest harbor on the East Coast. Because of that changing landscape with the maritime industry, we're going to have some opportunities to do some Mixed-Use things up in that area, up in that northern part of the Peninsula. The Port Authority is going to probably be some opportunities for them to maybe, how should I say it, sell some of their property on the Peninsula near Union Pier, and some other areas which would then create more tax money for Charleston. That property will then not be State property. It'll go back into the City. But, if we take away the opportunity for there to be residential uses in that area, then that property becomes a lot less valuable than it is now. So, I think if we want to have an ordinance like this, and simplicity is great especially on the surface, but when you dig down into it, and you look at how it affects each person. Then we may have to take an approach, like Councilmember White said, where we bring the players to the table. We bring the organizations to the table, including the Port Authority, because we need to do everything we can to work with them when we're effecting that. We can

bring some private warehouse owners to the table, as well, and say, 'Hey, how is this going to affect you?', but at the same time we need to meet with the realtors, the homeowners, the Metro Chamber. Then we also need to take an opportunity to meet with the individual homeowners. I heard that gentleman who said, 'I'm here on behalf of my 90-year old mother tonight', and they just haven't had enough time to really digest this. We have had it on our agenda for a year and it's been deferred and deferred and deferred. I think the best thing to do is to just start all the way over, get it off, have our staff look at it again. Any time you're talking about increasing density in Church Creek, that's a bad idea right now. I get why we're trying to do it because we approved a TIF District in Church Creek, and we're trying to get Commercial development out there. I hear that but, you see, that's a Catch 22 there. So, how do we solve that issue? We're not going to be able to solve it tonight, and we're not going to solve it in two weeks with a deferral. So, I'm going to support the rejection of this tonight. I think we need to start over, get the players to the table, and come up with something that makes a little bit more sense that is a compromise for everybody and makes us happy and works with these private and agencies, as well. So, thanks."

Mayor Tecklenburg said, "May I respectfully say that this is kind of a reset by bringing it back to you tonight this evening. As you mentioned, at least number one was basically on the agenda for a year. Along the way, the Chamber and other folks were exposed to it. I don't know if they didn't pay attention at the time and, in fact, the Ports Authority, Councilmember Griffin, Industrial and warehouse uses were part of my thinking about the need for this because the Residential market is so strong in our City. Our community, and again thinking about our City being a vibrant variety of uses, and we add in the Port that's so vibrant here, you want to be able to have warehouse uses still. That's where Industrial zoning comes into play. So, the theory is to preserve some of those Industrial-type uses in our City and not see them all go to apartment complexes, so that was part of the thinking. Then we had that joint meeting where we kind of dug into the various parcels that we said, 'Okay, well, the City changed, and that industrial site really isn't maybe appropriate anymore. It should have some Residential use.' I admit to you all that, even though we noticed everybody with a letter, some better communication could occur, number one. Number two, there are some property owners, who legitimately came forward and said, 'Hey, gee, I'm not on your list. I should have some residential entitlement, and you're about to take away my residential entitlement', and we ought to consider all of those. So, this was a reset, if you will, and I would respectfully ask to entertain a motion to defer the matter so that we can meet with these property owners, as Councilmember White suggests, one on one and involve those other folks. I still think, long term, it makes sense from a planning point of view for us to have Industrial uses set for Industrial use and not for Residential use. Councilmember Shealy, you probably have a good point that, given the allowance for a Residential density in General Business, maybe Limited Business might be a better selection for that transfer of those properties over there. So, we just need to dig in a little further and look at the properties one by one."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "Mr. Mayor, with all due respect, just read number one. An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) to remove residential uses, nursing and personal care uses, and school uses from the Light Industrial, it goes on. When you're talking about removing residential uses, you're talking about removing communities. That's what we're talking about, and this lady that came, and I thank you for coming, is representative of the small people that don't have a voice in this. They shouldn't be removed. They shouldn't be grandfathered. They have the right to be there, and they should be able to remain. The concern that Councilmember Mitchell has about, 'Wait a minute, my people haven't been informed or the people in District #4', you're right about that, but a deferral is not going to do that. This is just wrong. This needs to go back and go away and be redrawn."

Councilmember Lewis said, I don't know, months and months ago, but it resonated, and I repeated it to others, 'This is the last frontier.' If we don't create some affordable housing or residential uses in areas that allow it, then we're going to have a blanket, just elimination of it. I understand the need for Heavy Industrial, but there was time when I would think one of the most impactful uses of any piece of land would be a landfill. Who would want to live on a landfill? Well, I invite you to drive down Lockwood Boulevard, and let's look at WestEdge and Brittlebank Park, Riley Park, the Charleston Battery, which is not in Mike's district."

There was laughter in the Chamber.

Councilmember Waring said, "Got it right this time. This is a blanket use, and the truthful part about it, the small people, the small communities, that you're trying to fight for, Councilmembers Mitchell and Lewis, will be squeezed up. That's what's going to happen. When the residential piece now would be considered grandfathered, they're going to be squeezed up, and that's not Charleston. We have had mixed uses in Charleston from the inception of Charleston, and we should continue to do that. So, the deferral is just kicking the can down the road. We need to make a better decision than that."

Mayor Tecklenburg said, "If you all don't like this idea, I understand. This, respectfully, is not removing any residential properties from, we went parcel by parcel. So, for example--"

Councilmember Waring said, "A point of order, Mr. Mayor."

Mayor Tecklenburg continued, "--a chemical factory--"

Councilmember Waring said, "A point of order takes precedence."

Mayor Tecklenburg said, "Sir, can I finish my thought, please, and then I'll be happy to call on you again?"

Councilmember Waring said, "Then I'll ask for the point of order. Go ahead."

Mayor Tecklenburg continued, "So, for example, a chemical manufacturing facility, and we do have one of those in the City of Charleston, they would remain Heavy Industrial. There are no residences there now. So, if there is some property that is already zoned Light Industrial or Heavy Industrial that happens to have some Residential use right now or we even think would be a good place for Residential use, that's what #2 is all about. So, we're not disrupting or displacing, but we're letting that chemical company continue to exist in Heavy Industrial zoning. Right now, you could build residences on top of the chemical plant and, I don't know, from just a practical use point of view, that doesn't make sense to me. But if you all don't like the idea of pursuing this, that's fine."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "A point of order, you said it's not to remove Residential. The actual ordinance says, and I'll read it, 'to remove Residential uses'. That's what it says."

Mayor Tecklenburg said, "Yes, but no existing Residential uses, the right to build it in the future."

Councilmember Shahid said, "So, I'm going to vote to support the denial of this ordinance, but I don't want the denial of this to end this discussion because I think the Mayor's point is something we need to take into consideration, which is we've got to identify some of these areas

that are Light Industrial or Heavy Industrial and make sure that they maintain that character. I agree with you, Councilmember Waring, we do have several places in the community that have Mixed-Uses in there, and we need to maintain that character, as well. So, it's worthy of our discussion, and it's worthy to carry this ball further down. Let's deny it tonight, go back to the drawing board, and think about what Councilmember White had talked about by engaging more folks into this process and get this thing back to what the Mayor's thought process was on this idea."

Mayor Tecklenburg said, "I'm happy to call the question."

Councilmember Shahid said, "Call the question."

Mayor Tecklenburg recognized Councilmember White.

Councilmember White said, "I want to make one quick comment. I do want to point out a lot of work went into this and the Planning staff really did spend a tremendous amount of time going through this but, once again, I think the key function here is let's just make sure that we over communicate with property owners and those that are affected. I think that that will solve a lot of our problems in the future."

Mayor Tecklenburg said, "Yes, sir. That's a good idea."

On a motion of Councilmember Waring, seconded by Councilmember Seekings, City Council voted to deny Items M-1 and M-2:

*An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) to remove residential uses, nursing and personal care uses, and school uses from the Light Industrial (LI) and Heavy Industrial (HI) Zone Districts. (DENIED)*

*An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that the following properties, located in Charleston County in various areas of the City, be rezoned: TMS# 464-00-00-008, 464-10-00-084 and 466-00-00-021 from Heavy Industrial (HI) to Conservation (C); TMS# 459-00-00-006 from Heavy Industrial (HI) to General Business (GB); TMS# 464-10-00-099, 464-10-00-102, 464-10-00-110, 464-13-00-001, 464-13-00-002, 464-13-00-073, 464-13-00-074, 464-13-00-075, 464-13-00-076, 464-13-00-077, 464-13-00-078, 464-14-00-127 and 464-14-00-135 from Light Industrial (LI) to Conservation (C); TMS# 459-01-03-003 from Light Industrial (LI) to Diverse Residential (DR-2); 301-00-00-027, 356-00-00-032 and 356-00-00-045 from Light Industrial (LI) to General Office (GO); TMS# 356-00-00-014, 356-00-00-029, 356-00-00-030, 356-00-00-033, 356-00-00-035, 356-00-00-041, 459-09-01-049, 460-08-04-063, 460-08-04-064, 459-01-03-031, 459-01-03-052, 459-01-03-059, 459-05-03-080, 459-05-03-114, 459-05-03-117, 459-05-03-138, 460-08-02-001, 460-12-02-012, 460-12-02-021, 463-16-03-070, 463-16-03-118, 459-09-01-053 and 460-12-02-001 from Light Industrial (LI) to General Business (GB); TMS# 461-09-03-047, 461-09-03-048 and 461-09-03-049 from Light Industrial (LI) to Upper Peninsula (UP); 464-14-00-079 from Light Industrial (LI) and 2.5 Old City Height District to Upper Peninsula (UP) and 4-12 Old City Height District; and so that the following properties, located in Berkeley County in the Cainhoy Area of the City, be rezoned: TMS# 268-00-00-140, 268-00-00-141, 268-06-01-001 through 268-06-01-072 and property identified in Berkeley County Tax Records as TMS# hpr2848 from Light Industrial (LI) to Diverse Residential (DR-1). (DENIED)*

The vote was not unanimous. Mayor Tecklenburg voted nay.

The Clerk said, "Mayor, one more thing that we need to do."

Mayor Tecklenburg said, "One more thing to do."

The Clerk continued, "If we could go back to our second readings."

Councilmember White said, "Move to withdraw."

Councilmember Shealy said, "Second."

The Clerk said, "Yes. Thank you very much. L-13 and L-14, the applicant has asked that we withdraw those."

Mayor Tecklenburg said, "Okay, that's under--"

The Clerk said, "Second readings."

Mayor Tecklenburg continued, "Section L numbers 13 and 14, we have a request from the applicant to withdraw those two."

The Clerk said, "I have those motions from Councilmembers White and Shealy."

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

On a motion of Councilmember White, seconded by Councilmember Shealy, City Council voted unanimously to withdraw Items L-13 and L-14:

*An ordinance to provide for the annexation of a vacant lot on Stinson Drive (0.99 acre) (TMS# 350-05-00-095), West Ashley, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 11. The property is owned by Rale MGMT LLC. (WITHDRAWN)*

*An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that a vacant lot on Stinson Drive (West Ashley) (0.99 acre) (TMS #350-05-00-095) (Council District 11), be zoned Diverse Residential (DR-1F) classification. The property is owned by Rale MGMT LLC. (WITHDRAWN)*

Mayor Tecklenburg said, "Is there any further business to come before this Council?"

Councilmember Waring said, "Mr. Mayor, I think to pick up on what Councilmember White said."

Mayor Tecklenburg said, "Yes, sir."

Councilmember Waring said, "We had a very good process in the DuWap District where people could opt in and opt out. Now, of course, that involved County properties and City properties. That may very well work in this particular situation here where property owners have a right to opt in and opt out. But, anyway, I throw that out there as a suggestion going forward."

Mayor Tecklenburg said, "Thank you. We'll consider that. We stand adjourned. If you make the memorial at 7:00 p.m. at Savannah Highway, it will start on time. Thank you all very much. We're adjourned."

There being no further business, the meeting was adjourned at 6:05 p.m.

Vanessa Turner Maybank  
Clerk of Council