

## CITY COUNCIL MEETING

Regular Meeting

August 17, 2021

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

A notice of this meeting and an agenda were made available on the City's website August 12, 2021 and appeared in the Post and Courier on August 17, 2021.

### PRESENT (13)

The Honorable John J. Tecklenburg, Mayor

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

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

The Clerk called the roll.

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

Councilmember Brady said, "Thank you, Mr. Mayor. If we could all bow our heads."

Councilmember Brady opened the meeting with an invocation.

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

Mayor Tecklenburg said, "I was told that Councilmember Brantley Moody is in the house from Charleston County. Thank you for being with us, Councilmember."

There was applause.

Mayor Tecklenburg continued, "It was your Dad's leadership that led to what I call the 'Charleston Pledge' as we say, 'One nation under God,' with no pause. So, remind him that we remember him that way. I'm sure he would feel good about that. So, folks, thanks for being with us this evening. We've got a lot of citizens joining us this evening. We're glad to see you, but I've got to comment. Isn't this a nice new facility we're in?"

There was applause.

Mayor Tecklenburg continued, "We're very proud of it and, Councilwoman Delcioppo, down to my far right, she is the Councilwoman for this district including Daniel Island, Cainhoy Peninsula, and part of downtown. Thank you for being our hostess tonight in your district. We have just a couple of proclamations, resolutions this evening. I'm going to start with one. When I saw in the paper of the passing of Mr. Jim French, whom I had known for many years, and I do believe, I hope, that his daughter, she could not be with us tonight in person because she is taking care of her mother. Simona French, I believe she might be available online. I hope so. We have a [Resolution](#) honoring Mr. French who passed away recently."

Mayor Tecklenburg read the Resolution.

---INSERT RESOLUTION---

Mayor Tecklenburg said, "Jim French, he was quite the Charleston citizen. Did we find Simona online? Was she able to join us online?"

The Clerk said, "I don't believe she is on."

Mayor Tecklenburg said, "Well, we'll be sharing this with the family. Are there any comments from any Councilmembers?"

No one asked to speak.

Mayor Tecklenburg said, "Hearing none, we will go to our next [Proclamation](#). This is recognizing someone in our presence here tonight, William "Buddy" Bent. This is an amazing story of service to one's country. Mr. Bent, you all, is with us this evening on the occasion of his most recent 100<sup>th</sup> birthday, but listen to this story before we recognize him."

Mayor Tecklenburg read the Proclamation.

---INSERT PROCLAMATION---

Mayor Tecklenburg said, "Congratulations, Mr. Bent."

There was a standing ovation.

Mayor Tecklenburg said, "Happy Birthday. Thank you for your service. Mr. Bent resides in the City Council district of Councilmember Ross Appel, who would like to make a comment."

Councilmember Appel said, "Sir, I just want to thank you for making the trip all the way out to Daniel Island, and to the family, thank you very much for making this all happen today. We tried to get you out to The Joe for July 4<sup>th</sup>. We weren't able to make that happen, but we made today happen, and that's just awesome. I mean to be 100 years old, a World War II veteran, and kicking a Nazi's butt to get out of a prison camp. I mean, I don't know how much better you can get. He's an American hero. So, happy to be here with you all today and thank you all, again, for coming."

There was applause.

Mayor Tecklenburg said, “Is [Chief Curia](#) in the house this evening? Chief would just like to make one brief announcement regarding a little move he’s getting ready to make.”

Chief Dan Curia said, “Good evening, Mayor, and members of Council. Actually, Jason Kronsberg should be here with me. I’m not sure if he’s in the building. He really should do the honors, and I’ll add color commentary.”

Jason Kronsberg said, “Thank you for your patience. Chief, you didn’t have to do that. We’re here to announce that the Fire Department is moving into Fire Station #11 tomorrow.”

There was applause.

Chief Curia said, “So, I do have to say, as I said this morning in the Department Head meeting, the Fire Department does very little to get the building complete and to get the building ready. Parks really, really worked hard and, specifically, Beth Brownlee with Parks really deserves some credit for getting this over the finish line. So, I know it was overdue, but tomorrow evening, at this point, we’ll be responding out of that firehouse.”

There was applause.

Mayor Tecklenburg said, “Thank you, Chief. We’re excited to have you moving in over there. Alright. Next is our public hearings. We have a few of those on the agenda this evening. The first one is regarding a [Municipal Improvement District](#) that is being proposed for Johns Island. Robert Summerfield with our Planning Department will make a brief presentation.”

Robert Summerfield said, “Good evening, Mayor, and members of Council. I believe Christopher has a PowerPoint for us. So, very quickly, I just want to run through the purpose of the Resolution that’s before you this evening on this public hearing and give a quick update on what the Johns Island MID is, what’s involved, and then go through our next steps. This slide, I know no one can read this, this is just a reiteration of the statute that gives the City of Charleston the ability to create a Municipal Improvement District and gives the technical legal reason why we’re doing this. This is a much more abbreviated version of what the Johns Island MID is.

It’s important to note that the Johns Island MID will only affect new construction of housing units and commercial areas. Those will be the only ones billed, and billing will not be triggered on this assessment until a Certificate of Construction Completion for Occupancy is issued. That’s a very important distinction to be made here. So, until the people that will be living in these new units are there or coming to the new retail or other commercial-type activity are coming to the new development, the assessment for the MID will not begin to assess. Existing homeowners and current commercial spaces will not be assessed, only new units. New units will be billed at \$480 per year. It’s anticipated that once that assessment begins there will be a two percent annual increase, and the assessment period will be for 30 years only. For new commercial areas, so if you do a new commercial addition, a new outparcel gets developed, or a completely new commercial development within the district, then it will be done at a rate of one residential equivalency, which is about \$480 per year, and that’s based on an 1,800 sf. average new home residential area. So, that’s how we built the assessment for both the residential and the commercial proposal.

The district, as I said, is in Johns Island. It is only parcels that are within the City of Charleston’s jurisdiction on Johns Island. It includes approximately 551 parcels that currently have

some form of entitlement for greater development than they currently have on them now. Then, there is another 244 parcels that do not have any active entitlements, however, they meet the criteria that was established, which is that they are over two acres in size, and they're not owner occupied residential property which is taxed at that 4%. So, these are properties that are not currently owner occupied that are two acres or greater. Therefore, we see that they have potential for additional development requests in the future, so we want to make sure that they're in the MID primarily because any property that's not in the MID as it's adopted would then require us to go back through this entire process to add them later, which is something that may happen as other properties may come forward and request annexation into the City at some future date.

There are a total of approximately 8,132 acres that would be a part of this Municipal Improvement District. As a part of this Municipal Improvement District, we've put together an Improvement Plan as required by statute. This Improvement Plan was done in collaboration with the various departments of the City. Specifically, the Improvement Plan addresses potential projects that would be Parks and Recreation projects, roads and transportation projects, and, finally, stormwater and drainage infrastructure projects. At present, we anticipate in the Improvement Plan almost \$60 million worth of revenue on this Municipal Improvement District over the course of a 25- to 30-year implementation horizon that would be available to either do maybe smaller scale projects or help fill gaps between current funding, State funding, and other funding opportunities to make some of these larger scale projects happen. This is not meant to subtract funding that the City would otherwise be investing in Johns Island. This is really to supplement those dollars that we have already programmed for improvements on Johns Island.

So, at the request of Councilmember Brady, we did go out last week. We met at the Berkeley Electric Co-op building with residents of the Island so that they would not necessarily have to travel all of the way here for this public hearing this evening so that we could hear what they had to say. There were approximately 30 folks that came out to that listening session. Of those 30 folks, almost universally we heard appreciation for the effort. Folks were happy to hear what was happening. We have about ten people, generally, that were just looking for more information. We had about five or so folks that had property on the Island that were specifically trying to determine if their property was within the district. Then, we had approximately 12 folks, we didn't keep exact numbers, that wanted to provide comment on how the proceeds would be used and what improvements would be done. To that end, one of the things that we have talked about internally, and we would be looking to do as we move forward in this process, is to look at a Citizens Advisory Committee to help us figure out where those dollars would get programmed and what projects would come forward, so that the citizens of Johns Island are participating in how that money gets spent once it comes in.

Next steps, today we have a public hearing, as required by statute, on this Resolution. Next month we will have the actual first reading of the ordinance to create the MID, anticipating either at the second meeting in September or maybe as late as the first meeting in October we would have second and third reading with the adoption, again, if everything goes well. Between October and January of next year, we will be working on the next step which is to issue notice to every parcel that's been approved as a part of the district to provide an opportunity for any member or any property owner that is within that assessment district to come forward and appeal their inclusion in the district in a public setting and finalize those components. Then, in March of next year we will begin to prepare the assessment documentation with an anticipation of submitting that by the middle of 2022 to the County, so that it can be a part of the assessment rolls when those are done. Then we will begin to see, and it will be small at first, we will begin to see the revenue generated by the MID. As those projects come online and more property is

actually contributing to the district, we will then begin to have some better certainty as to what those revenues might be which will allow us to, in a few years, project some bonding capacity that will allow us then to really get projects moving forward. But, we will also be looking to identify maybe smaller projects that we can initiate in some of those earlier years just based on proceeds. With that, Mr. Mayor and members of Council, that's my presentation. If there are any questions."

Mayor Tecklenburg said, "Great. So, next is our public hearing for this matter and just to let the public know, we're going to have a public participation period later where folks can talk about any subject. So, during this section of public hearings, you just come forward if you want to speak to this particular matter that's on the floor right now. Given the number of folks here, we're going to limit remarks on this section to 90 seconds, a minute-and-a-half, a piece. Would anyone like to be heard on the matter of the Municipal Improvement District on Johns Island? Please come forward. If you all would just queue up to the microphone, that would be great. One at a time. Yes, sir. Please state your name and address first."

1. John Zlogar said he represented the Johns Island Task Force. The Task Force endorsed the MID and the improvements in infrastructure the monies would bring to the Island. The key was how the money was spent. They strongly encouraged Council to set up an Advisory Committee, and they believed the Committee could be used to evaluate and prioritize the requests for the improvements and make recommendations to Council. They thanked staff that went out to Johns Island twice in the last couple of weeks and gave up their evenings to do that. They had fairly good participation. They knew active community involvement would be key to the success of the MID.

Mayor Tecklenburg said, "Thank you very much. Yes, sir."

2. Mohammed Idris said the presentation was made by Mr. Summerfield, which he thought was inappropriate because he had worked in "sin city," and he was now the head of Planning. The City he left was on fire, and more crime went on in that City than any place in the world. He thought it was a disgrace.

Mayor Tecklenburg said, "Thank you, sir."

There was applause.

Mayor Tecklenburg hit the gavel.

Mayor Tecklenburg said, "Order, please. I also want to share with everyone that we will give people the opportunity to ask folks who agree with their point of view to raise their hands. I'm sorry, but we don't allow outbursts during our public participation periods. So, if somebody is a speaker, and they want to ask for a consensus among the folks that are here, that's just fine. Just ask them to, please, raise your hand. Thank you very much. Yes, ma'am."

There was an outburst from an audience member.

There was applause.

Mayor Tecklenburg hit the gavel.

Mayor Tecklenburg said, "I'm going to ask for order."

There was another outburst from the audience member.

Mayor Tecklenburg said, "I'm going to ask for order. Order, please. You're interrupting a lady who is trying to address us, please. Yes, ma'am."

3. Erica Cokley said with regard to the meeting they had last week, she was sure they probably reached out, but there were 30 people there. The people that needed the guidance and the voices that needed to be heard probably weren't part of the 30 people there. Going forward, they needed to start making sure of that. They needed to make sure that the information got out to the people who needed it most. She said maybe when they had the Advisory Committee, the people that actually lived there could have a voice on the input, too.

Mayor Tecklenburg said, "Thank you. Thank you for being with us."

There was applause.

Mayor Tecklenburg hit the gavel.

Mayor Tecklenburg said, "You all, I'm really serious about this. I'm going to ask you all to refrain from the outbursts for these speakers. If they want to ask you to share your opinion, that's fine. We don't have to have a public participation period tonight. Yes, sir. Please proceed."

4. Josh Dix, Charleston Association of Realtors, thanked the Mayor and Council for bringing the issue up. There were some big needs on Johns Island. He thanked Councilmember Brady for the conversations they had and some really good meetings with staff on it. An issue they wanted to see addressed was the equity piece, putting the burden on new homeowners. They weren't sure that the full potential of the MID would be addressed. He understood that there was some State limitation on making it applicable for current homeowners, but a potential opt-in option would be something that they would be interested in. It had been mentioned a few times, but the transparency piece was something they wanted to see more clarity on instead of just allowing for three slices of the pie to be rejected. They thought identifying projects and specific needs would be something that would help with the public encouragement and education piece on it. He thanked Council again for allowing them to be a part of the process, and they looked forward to seeing it go forward.

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

No one else asked to speak.

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

Mayor Tecklenburg recognized Councilmember Brady.

Councilmember Brady said, "Yes. Thank you, Mr. Mayor. I just wanted to thank City staff for all of their hard work on this as well as the Johns Island Task Force, the Johns Island Council,

and the Johns Island Community Association who really helped us get the word out. It should be mentioned as well that, in addition to the meeting on August 12<sup>th</sup>, that Jim Hemphill from the City also went to the Johns Island meeting on August 5<sup>th</sup>. So, this is the third opportunity to really hear about this within the last 12 days. The Johns Island Municipal Improvement District will vastly help improve some of the infrastructure projects that we know are coming down pipe that will enable us, through this special assessment on the new development, to really get a handle on and improve the infrastructure as the developments are coming down the pike and coming online. So, I want to, again, thank City staff, thank the folks on Johns Island who have helped us move this along, and I would urge my colleagues to approve this tonight on first reading.”

Councilwoman Jackson said, “I’ll second.”

Mayor Tecklenburg said, “We have a motion to approve the Resolution and a second. Is there any further discussion?”

Councilmember Mitchell said, “Mr. Mayor.”

Mayor Tecklenburg recognized Councilmember Mitchell.

Councilmember Mitchell said, “Yes. I just want to say, Mr. Mayor, I know that the staff was over there, but we had a young lady come up and say they didn’t have the opportunity to come to the meeting. So, I think we need to really look at it and do a better job in getting some information to the people who live on Johns Island who have been living out there for years. Just like I always inform people, my family goes back on Johns Island 300 years. We cannot forget about those people that are living back there. So, I figure that we need to do a little bit better job in getting the information out to some of the people who are living there and have been living there for years and years and years because a lot of times they are being left out. I’ve seen this over and over again, and they are calling me. So, I think we need to do a little better job in getting that information out to those individuals also.”

Mayor Tecklenburg said, “Thank you, sir. Is there anyone else?”

Mayor Tecklenburg recognized Councilmember Waring followed by Councilmember Griffin.

Councilmember Waring said, “Thank you, Mr. Mayor. With all due respect to my colleague, I’m not going to vote for this. The irony is that we are in probably one of the most successful communities in America that was developed on Daniel Island, and it didn’t have to have a tax increase or a MID to do it. This gym that we celebrate for the first time, being here today, came as a result of a recreation bond, and all of the City paid for that. All this does is increase taxes on people who have no voice in it, the future homeowners, and the future business people. There are almost 10,000 people on Johns Island, and 30 people came to the meeting. We’re going to make a decision on the results of what 30 people had to say. We’re going to increase taxes during a pandemic on houses and businesses that haven’t been built yet. We talk about affordable housing. That tax increase is going to be passed through to those homeowners, and not only is it a tax increase, it’s already got a tax increase with an increase. The \$480 will have a two percent increase. You haven’t even assessed the \$480 yet, and you’re already putting a two-percent increase on that.

We have a stormwater fee, and over the years, the truth of the matter is the stormwater fee has not been appropriated equally across the City of Charleston for various reasons. Some of them very legitimate, some of them not. If you were to add up the stormwater fee that the people on Johns Island currently pay and compare that to what fee is going back to fix their drainage problems, you wouldn't need this MID. In most cases and in small businesses' case, when you rent a commercial it's what is called a triple net lease. Tax increases are not paid by the landowner, it's pushed through to that small business owner. That puts that small business owner at a disadvantage if they happen to lease a space where the MID applies versus a business being established in that area where there is no MID.

Why would we do that? Why would we pass a tax increase on people that don't even have a chance to have a say so on this? Increasing taxes on new homeowners, and it's not until the Certificate of Occupancy is issued that they have to pay it, means the person or the developer that built the house doesn't have to pay it, but that new homeowner that's just moving in there for the first time, they're going to get a surprise which is going to equate almost to their cable bill by the way. I just don't think we have to do it this way. We didn't do downtown this way. The City of Charleston had a Historic District prior to Charleston Place and Hugo. It didn't look like it looks today. We didn't have a MID to do that, we didn't have a MID to do Daniel Island, and we didn't have a MID to do Bees Ferry Road, Grand Oaks, and all of the areas of success over there. We didn't have a MID to revitalize South Windermere or Avondale, and I think we're putting this through without the voice of the people being able to speak. You say, 'What voices?' The voices of the future homeowners and the future businesses. For those reasons, I'm going to vote against this."

Mayor Tecklenburg said, "Thank you, sir."

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, "Yes, sir. I may change my vote come next meeting when we see this again, but I'm also going to vote 'no' tonight. I have very similar sentiments as you, Councilmember Waring. It's not going to be the builder that is going to see that tax increase, it's going to be the person who buys a home. On Johns Island we've got exponential growth over there, and a lot of the people on Johns Island are not liking that. But, I know what they are liking, and that's getting some more businesses over there, and when you're going to put an extra tax on a small business that's going to come over to the Island, that to me is not a good deal. I would like to know exactly what the numbers are going to be and what it's going to cost these new businesses and homeowners. So, hopefully, I can get those numbers in between the next vote, but tonight it's going to be a 'no' from me."

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

Mayor Tecklenburg recognized Councilmember Brady.

Councilmember Brady said, "Yes. Thank you, Mr. Mayor. I definitely appreciate Councilmember Waring's concerns. However, I would point you to the commentary piece I did write in the paper that addressed many of the misconceptions about the MID. We know in the City that we use Tax Increment Financing Districts a lot. It is not just property taxes or the stormwater fee, as you point out, that go to infrastructure. We do have other types of taxing districts in the City that we use. However, we are limited by the number of Tax Increment Financing Districts that we can have by law. So, what we have is an area that, as long as Councilmember Waring has

been on Council, has seen a historic underinvestment in infrastructure. We have to get creative in how we're going to do that. South Carolina law allows for a Municipal Improvement District. It allows us to fund infrastructure projects to go with the development that is already entitled and/or is coming, and that way we can serve both the citizens that are currently there, as well as those that will be joining us and becoming taxpayers and voters in the future."

Mayor Tecklenburg said, "Thank you."

Councilmember Waring said, "Mr. Mayor, he addressed me. I'd like to have the opportunity--"

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "Thank you."

Mayor Tecklenburg said, "Yes, sir."

Councilmember Waring said, "I saw that in your article, but with all due respect, do you know how much stormwater fees are generated by the people on Johns Island right now? The probability is, and I'm not trying to put you on a hotspot, you don't know that before we're enacting an increase. Those people are already paying a stormwater fee now to pay for drainage. The whole County is paying a half-cent sales tax, actually, it's a penny. There have been two half-cent sales tax, and both included money for greenspace, some in the rural area, which helped to buy land on Johns Island. We have the second half-cent sales tax that we're in right now. Both of them are still enacted. The people on Johns Island, as well as all of Charleston County, is paying for that. Do you know how much money in the half-cent sales tax that the people on Johns Island pay that they're getting in return? That's the type of information we need to have. In other words, if some of these people on Johns Island were to simply get the taxes that they're already paying returned, to fix the drainage, to buy parks, to participate in low interest rates and the AAA credit rating that this City has, to be able to build a recreation facility like this that they can share without a tax increase. In other words, we already have done this. We know how to do this. So, this idea about creating a whole new tax on people that haven't even arrived yet and businesses that haven't even started yet isn't a good idea until we at least find out if these people pay a dollar in, are they getting a dollar back invested in their community for stormwater? If they pay a dollar in the half-cent sales tax for parks and greenspace, are they getting a dollar back? We need to make that assessment. Here we're talking about generating revenue, but we don't even know which specific projects we're going to spend it on. So, again, I'll vote against this one."

Mayor Tecklenburg said, "Thank you, Councilmember."

Mayor Tecklenburg recognized Councilwoman Jackson followed by Councilmember Seekings.

Councilwoman Jackson said, "I'll yield to Councilmember Seekings. He had his hand up before me."

Councilmember Seekings said, "Thank you, Councilwoman. Just one quick question for Mr. Summerfield. Is this for us to vote on tonight, or is this for you to give us a presentation?"

Mr. Summerfield said, "Thank you, Councilmember, that was actually why I stood up. So, this is not to vote on. This is to hold the public hearing this evening. The vote would be anticipated at your next City Council meeting September 14<sup>th</sup>."

Councilmember Seekings said, "Can I just follow up, please?"

Mayor Tecklenburg said, "Yes."

Councilmember Seekings said, "Thank you, Mr. Mayor. In light of that, what I would say is this. This is a matter for Councilmember Brady and his district. He has reached out to all of us and has advocated for this with the assurances that this is something good for his district. Between now and the next meeting, we're going to hear from our staff on census numbers, and I suspect we're going to hear that Johns Island's numbers and population have almost doubled since the last time we took a census in 2010. We got a public hearing where 30 people have shown up. I think it's probably a good idea to get back out onto Johns Island and put a little bit more information out about exactly what we're going to do here. In what is somewhat of a shocking development, I was inclined tonight to vote in favor of this with the caveat not for second and third reading until I, and I think others sitting up here tonight, have had the assurances that there is a popular sentiment in favor of self-taxation on Johns Island. With that, if we're not going to vote tonight, Mr. Summerfield, I know you and your staff are incredibly busy and I know Councilmember Brady is, too, but I would highly encourage some more canvassing of those on Johns Island to make sure that we've gotten the information out there, and we get the feedback that we need. Because this is, in fact, a taxing entity that we are going to go by. So, with that I think we're clear on what we're going to do tonight, which is take this for information. So, thank you, Mr. Summerfield, for that clarification."

Mayor Tecklenburg said, "Great. Thank you."

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, "Yes, sir. I do just want to ask a couple of questions or maybe just get the clarification. I know we're trying to compare what our current residents of Johns Island pay into the stormwater fee and also the sales tax, but the truth is, we don't localize the usage of those funds. Those spread out throughout the City, and we make decisions that prioritize and deal with the urgent when we have things of exponential prices, as you talked about for our flooding situations, but also long-term plans, as we heard a little bit ago from the auditor, when we evaluate our drainage funds that are capital improvement projects. The capital improvements that brought this community center forward many, many years ago. I don't think it's helpful. It might be great to know how much each of our districts pay and those sorts of revenue streams into the City, but they're not used in the same way that this Municipal Improvement District funding stream would be. All of that money is going to stay on Johns Island. I know that it seems taxation without representation which is actually very true. The people who are going to be paying these fees do not live here yet, with the exception of maybe some businesses who are making a business decision to relocate to Johns Island for their own profit margins. I do think that people on Johns Island, the housing prices have gone up even just in the ten years since I have had anything to do with the real estate here. People are going to be very smart about coming and knowing that they're paying an extra amount in order to have a home where they're preferring to live on Johns Island and especially knowing that that money that they're paying into is going to come right back in to improve the problems that everybody complains about in that particular area. Traffic and flooding are the primary ones and lack of community services and parks. So, I think it's a very

logical technology and methodology that I'm really glad the State Legislature has still allowed local governments to choose for ourselves."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "Mr. Summerfield, a quick couple of questions for you. Do we have an idea, or if you can tell us, how many permits have been approved for residential construction projects as of today for Johns Island?"

Mr. Summerfield said, "So, Councilmember, we do have that number. I do not have it right off of the top of my head. It would be within that number of parcels that are currently entitled. Actually, Jim from my office has a very robust spreadsheet that tells us how many units have been entitled for which projects, which projects have currently already pulled the necessary permits and, therefore, would not contribute to the MID and which ones will contribute to the MID because they're anticipated to come online at a future date."

Councilmember Shahid said, "I think what would be important for all of us is to know the number of permits that have been approved or pending. In other words, they have been approved, but they are in the process of being developed, both residential and non-residential, and the number of applicants that are pending approval but have not yet been approved, both residential and commercial. I think that gives us a little bit better flavor and understanding of what we're dealing with. As Councilmember Seekings just pointed out, the census numbers we know are going to pretty much double, I think, from our estimates of the number of residents on Johns Island. I want to see how that number is going to be impacted with what's coming down the pike, as well. So, I think that kind of information would be beneficial to all of us."

Mr. Summerfield said, "We can prepare that and share that. Absolutely."

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

Mayor Tecklenburg recognized Councilmember Shealy.

Councilmember Shealy said, "Thank you, Mr. Mayor. Am I out of order if I were to ask Josh Dix's opinion from his comments? Could I do that?"

Mayor Tecklenburg said, "Yes."

Councilmember Shealy said, "Josh, I hope I'm not putting you on the spot, but I heard your comments about putting the burden on homeowners, opt-in options, and the transparency piece. I just want to get a better feel of where you are."

Josh Dix said, "So, where the association is on this?"

Councilmember Shealy said, "Yes, sir."

Mr. Dix said, "This is a need that we fully acknowledge. We have some heartburn with putting it strictly on new homeowners. If there was a way to minimize the impacts and lessen the burden, that's why we feel like spreading it across current people who are going to benefit from these projects as well would be the best route to go, but we do understand that this is a need."

Now, we don't historically support tax increases, but we do think this is a unique circumstance that needs a unique approach."

Councilmember Shealy said, "Thank you, Josh."

Mr. Dix said, "Yes, sir."

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

No one else asked to speak.

Mayor Tecklenburg said, "Seeing none, since we're not voting on this this evening, we'll move on to Item #2, the [Public Infrastructure Improvement Development Agreement](#) regarding Laurel Island. Mr. Summerfield, do you want to make any additional remarks about Laurel Island? It's been presented to Council before, but just was not open yet to a public hearing until tonight. Isn't that correct?"

Mr. Summerfield said, "That is my understanding. Yes. I do not believe there is any new information related to the Laurel Island Development Agreement. I would look to our Corporate Counsel or Chip McQueeney, if he is available, if they have any additional information, but I believe everything is in order for that item this evening."

Mayor Tecklenburg said, "Alright. Would anyone here like to comment on the Laurel Island Development Agreement?"

No one asked to speak.

Mayor Tecklenburg said, "Seeing none, it comes to Council for second reading."

The Clerk said, "Mayor, we did have a few people sign up online. I didn't know if they were just on in case Council had questions, but Robert Clement, Eddie Bello, George Bullwinkel, Gerald Pouncey, and Rhett Reidenbach."

Mayor Tecklenburg said, "I think they're just all here available to answer any questions."

The Clerk said, "Okay."

Councilmember Mitchell said, "I move for approval."

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

Councilwoman Delcioppo said, "Second."

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

No one asked to speak.

On a motion of Councilmember Mitchell, one (1) bill (Item E-2) received second reading. It passed second reading on motion by Councilwoman Delcioppo and third reading on motion of

Councilmember Mitchell. On further motion of Councilmember Griffin, the rules were suspended, and the bill was immediately ratified as:

**2021-109 -** AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE, ON BEHALF OF THE CITY OF CHARLESTON, THE LAUREL ISLAND DEVELOPMENT AGREEMENT, INCLUDING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS AGREEMENT ATTACHED THERETO AND INCORPORATED THEREIN, BY AND AMONG THE CITY OF CHARLESTON; CHARLESTON COUNTY; LRA PROMENADE, LLC; LRA PROMENADE NORTH, LLC; AND LID OZ I, LLC, PERTAINING TO LANDS BEARING CHARLESTON COUNTY TMS NUMBERS 418-00-00-006, 450-00-00-013, 459-02-00-013, 461-13-03-024, 461-13-03-100, 461-13-03-101, 461-13-03-102, 464-00-00-002, 464-00-00-006, 464-00-00-023, AND 464-00-00-038.

Mayor Tecklenburg said, "Next is number three regarding a [rezoning on George Street.](#)"

Christopher Morgan said, "Mr. Mayor, I'm going to be handling these next few. This is Item E-3. It's properties at George Street, Society Street, and King Street in downtown Charleston. It's 1.74 acres. It's a request to rezone from General Business to Mixed-Use/Workforce Housing (MU-2/WH). It was before Planning Commission last month, and they did recommend approval 5 to 0. Here are the properties. If you can see my cursor here, this is George Street to the north, King Street to the west, Society Street to the south, and Meeting Street to the east. The storefronts on King Street back up to the property. The College of Charleston's athletic facilities are roughly across the street. There is another MU-2 development just to the east to orient you to the overall area. In the Century V current City Plan, it's identified as Urban Core, the most intense category in the plan. Here is an aerial image of the property. Most of you know it as the George Street parking lot that has a good bit of parking in it. It also opens over to Society Street. Here are some other aerial images of the property, and that's a view from George Street, a short view from Society Street, and the request again was to go from General Business to MU-2/WH. The Planning Commission and staff recommended approval."

Mayor Tecklenburg said, "Great. Would anybody from the public like to be heard on this matter?"

No one asked to speak.

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

Councilwoman Delcioppo said, "Move for approval."

Councilmember Mitchell said, "Second."

The Clerk said, "Mayor, we did have three people sign up. Just Brian Turner, Brian Hellman, and Daniel Pourbaba. I don't know if they're online to speak now. Brian Turner."

No one asked to speak.

The Clerk said, "Brian Hellman."

1. Brian Hellman said he represented the property owner Daniel Pourbaba who was also there. They were only there to answer questions. They didn't have anything else to add unless Council had any questions of them.

The Clerk said, "Mayor, we also received a letter of support from the business owners at 332 and 336 King Street. They said that they would like to express their strong support for the applicant's proposed rezoning from General Business to MU-2/WH. The applicant has demonstrated a creative plan that includes public parking that would be available to our customers while also incorporating some workforce housing that can absolutely benefit our local community. Those were all of the comments we received."

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

No one else asked to speak.

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

*An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that properties on George Street, Society Street and King Street (Peninsula) (approximately 1.74 acres) (TMS #457-04-04-007, 008, 112, 025, 113 and 017) (Council District 1), be rezoned from General Business (GB) classification to Mixed-Use/Workforce Housing (MU-2/WH) classification. The properties are owned by GS Acquisitions, LLC and ENT SD, LLC.*

Mayor Tecklenburg said, "Number four. Mr. Morgan."

The Clerk said, "Mr. Mayor, just for the record, who is the motion and second on that?"

Mayor Tecklenburg said, "Who had the second on that? Councilmember Mitchell. Councilwoman Delcioppo made the motion."

The Clerk said, "Okay. Thank you."

Mayor Tecklenburg said, "Mr. Morgan, back to you."

Mr. Morgan said, "Yes, sir. So, [E-4](#). This is on Maybank Highway. It's to be known as Rhett's Cove. It's four parcels. It's a total of 10.6 acres. It's to request approval of the Rhett's Cove Planned Unit Development Master Plan and Development Guidelines and to rezone subject properties to the PUD. It is currently zoned Commercial Transitional in the City of Charleston and then Planned Development Maybank Highway Corridor Overlay in Charleston County. So, several of the parcels are to be annexed as part of this PUD. It was reviewed by the Planning Commission last month and recommended for approval 5 to 0. Again, just to orient you, this is Maybank Highway just to the west of Southwick Drive, just to the west of the Villages of Johns Island, almost across the street from the old Berkeley Electric Co-op Facility. Some other images, it's in our Century V Plan as a Suburban designation, and the densities that are proposed in this PUD are in line with that Suburban designation. Here are the aerial images of the properties. One of them is the current Tattooed Moose restaurant, which would continue to exist in that location. There would be other development built around it. Here is a Concept Site Plan for the property. There would be a series of townhouses in the development. This is Maybank Highway to the right. There

would be buffers along Maybank Highway, as well as bike and pedestrian access through there. The Tattooed Moose would be at the front, and then there would be townhouses to the rear. There would be connectivity to the east and west, as specified in the Johns Island Plan, and also sidewalks, buffers, and greenspaces.

Here is a Land Use Plan that shows where the ponds are, where the residential area is, where the commercial area is, and the buffers. Here is the Open Space Plan, the open spaces being shown in green. There are a lot of very large grand trees on the site, and the applicants have worked very hard to work around those grand trees and protect them on the site. There are also wetlands to the rear of the property that are protected, as well. The overall development would have 59 total units for a net density of 6.9 dwelling units an acre again in line with the Plan's recommendations for this area. The Residential District would be just over nine acres of which roughly seven would be the net, and the Commercial District would be about an acre-and-a-half. The staff did have a condition that the Planning Commission passed on that the parking lot approved by Charleston County would be a ten-year lease, and the parking rider must be completed prior to TRC approval of the subdivision. This is just some extra overflow parking for the restaurant there, and it's immediately adjacent to it, and everybody was agreeable to that. So, both staff and Planning Commission recommended approval of this PUD."

Mayor Tecklenburg said, "Would anyone from the public like to be heard on this matter?"

No one asked to speak.

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

Councilmember Brady said, "Move for approval."

Councilmember Griffin said, "Second."

Mayor Tecklenburg said, "We have a motion to approve. Are there any questions or comments?"

No one asked to speak.

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

*An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that properties on Maybank Highway (Johns Island) (approximately 8.31 acres) (TMS #279-00-00-029, 031 and a portion of 035) (Council District 5), pending annexation into the City of Charleston, be zoned Planned Unit Development (PUD) (Rhett's Cove) classification; and that property on Maybank Highway (Johns Island) (approximately 2.29 acres) (TMS #279-00-00-030) (Council District 5), be rezoned from Commercial Transitional (CT) to Planned Unit Development (PUD) (Rhett's Cove); with the Planned Unit Development (PUD) (Rhett's Cove) Guidelines attached hereto and incorporated herein by reference to serve as the development plan for such properties. The properties are owned by 1108 Gregory St, LLC, GANB, LLC, Kulick Properties and Consultants, LLC 24/7.*

Mayor Tecklenburg said, "Next, if I could recommend we take numbers [five and six together.](#)"

Mr. Morgan said, "Okay. These are coming to you all for the zoning recommendation here. This is 1349 and 1351 Ashley River Road. These would be annexations to be coming to the City, and they are moving through their zoning process now. It's roughly a half acre. It's at the corner of Ashley River Road and Playground Road. The St. Andrews Parks and Playground Commission play areas are to the south and to the west of this property. Currently, there is a car wash on the corner in a salon and an older structure on the other parcel here. It's across the street from some Limited Business. It's immediately adjacent to some General Business to the east and General Business to the west. The request would be for General Business for the property. It was recommended for approval by the Planning Commission 5 to 0. Here it is in the Century V Plan. It's in the Highway designation in the current Century V Plan and, of course, that General Business would fit right in that category. Here is an aerial image of the property. You see the car wash to the left, the salon in the older building to the right, the fields of the PSD to the south, and tennis courts to the west. That is the presentation we have, and both staff and Planning Commission recommend approval of the General Business zoning for this property."

Mayor Tecklenburg said, "Thank you, and to let Council know, the applicant has requested that we only give second reading tonight. Apparently, there are ongoing discussions with the St. Andrews Parks next door, so they're going to come back later in the year after they resolve some more questions for final reading and the annexation, but we're still in the public hearing. Would anyone like to be heard on this matter? Yes, sir. Please come forward. Please state your name and address."

1. Kyle Taylor, Civil Engineer with Hoyt & Berenyi, said he was there on behalf of the development group for the request for annexation and second reading. The developer was under contract, and they were working through the plans for a Parker's Kitchen. Last time, the Planning Commission hadn't yet approved the GB zoning which was now approved. There were some questions at that time of what was being proposed, so they thought it was appropriate to be present at the meeting. He said there may be some Refuel fans in the audience, but they could assure everyone that Parker's Kitchen was a great brand. He read the following statement: 'Parker's prides itself on being more than a convenience store. It's a place where customers always feel right at home and where they could save time and money and find exactly what they are looking for any time of day or night and were always greeted with a warm smile. They have a powerful commitment to its customers to deliver on their slogan of 'Fast, Fresh, and Friendly.' They were proudly headquartered in Savannah, Georgia with store locations expanding across Georgia and South Carolina.' Most recently, they did a new store on Sam Rittenberg Boulevard as maybe members of the Council and certainly staff were familiar with. 'In addition, they proudly give back to area schools, local hospitals, and customers through their 'Fueling the Community Program.' Customers go out of their way to fill their gas tanks, grab a snack, and enjoy an ice cold fountain drink with chewy ice.' They were excited and asked Council for their support for the annexation and zoning.

Mayor Tecklenburg said, "You all have very good chicken."

Mr. Taylor said, "We do get that a lot. Great fried chicken."

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

No one else asked to speak.

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

Councilmember Waring said, "Mr. Mayor."

Mayor Tecklenburg recognized Councilmember Waring followed by Councilmembers Shealy and Shahid.

Councilmember Waring said, "Thank you, Mr. Mayor. This happens to be in the district that I'm pleased to represent. Anybody that is familiar with Playground Road knows it's a hub for little kids and families. St. Andrew's Parks and Playground has done a wonderful job for decades with family recreation, much like around this facility here today. I'm going to respectfully ask for a deferral until Parker's can work through a positive resolution with St. Andrew's Parks and Playground. We should not work against an ally. We should work with an ally. St. Andrew's Parks and Playground works with our playground division at the City of Charleston. Parker's is certainly welcome in our community. We have one over on Orange Grove and Sam Rittenberg, and it's very well liked. I patronize it myself, but at this location, as a matter of fact, one of the baseball fields would back up right to the property line. So, I do not want us to bully our way with St. Andrew's Parks and Playground. I want to work with St. Andrew's Parks and Playground. If that compromise cannot be worked out, I'd like Council to have the benefit of that before we get this on the slippery slope towards approval. So, I respectfully ask for a deferral on this one until whatever compromise can be worked out."

Councilmember Shealy said, "Second."

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

Mayor Tecklenburg recognized Councilmember Shealy.

Councilmember Shealy said, "Thank you, Mr. Mayor. Eric Pohlman in our Planning Department was nice enough to set up a meeting with the people from Parker's. It was a Zoom meeting and also with several representatives of St. Andrew's Parks and Playground, including the Head of the Commission and also with Susan Klugman and several others with St. Andrew's. There were a lot of concerns from St. Andrew's Playground in that meeting. As Councilmember Waring said, they're a great partner with the City of Charleston. We've done a lot with them. We just got a Greenbelt Plan approved because of their help in helping us. They're in the heart of West Ashley, and they serve a lot of our City constituents who choose to go to that park and playground. We've got a great relationship with them. But, this gas station design, it has a potential to attract children toward that gas station, and it causes a dangerous risk in children crossing that street or being in the street to try to get to that gas station. St. Andrew's Parks and Playground has done a great job of watching how their kids cross the street. They have one raised crosswalk area from the parking lot to the ballfields across the street, and that's for a couple of reasons, so that there is one access point for safety. They have a staffed person there, so they see and know anybody that comes in and out of that area. Moms, grandma, anybody that's supposed to be there.

There is a double concern here for St. Andrew's Parks and Playground. The number one concern is we have a kid warming up down here and, 'Oh, the game's going into extra innings, and I've got \$5 in my pocket. I'm going to run down to the street to the Parker's Gas Station.' That kid gets hit by a car. That's their concern. There is not a safe place to cross. There is not a sidewalk or any safe way to get from the playground to this gas station. So, St. Andrew's Parks and Playground, I think, has a very legitimate concern here. I seconded the motion to defer because right before we walked into these meetings, I was talking to some of the representatives from Parker's. Yesterday I also talked with some of the representatives from St. Andrew's Playground, and I just think it's the prudent thing to do for us to defer this right now until we can get all of this worked out. So, thank you, Mr. Mayor."

Mayor Tecklenburg said, "Thank you, sir."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "Thank you, Mr. Mayor, I appreciate the comments from my colleagues who represent parts of West Ashley. My district is right across the street from this area, and we did have a meeting on Friday with members of the Parker's team and the Parks and Playground with St. Andrew's. I appreciate Councilmember Shealy orchestrating one of these meetings that we had. Yesterday afternoon we had a Design Review Board meeting, and I jumped off the Public Works Committee meeting so I could attend that. There were two items on that agenda. One was to demolish the building right next to the car wash and that motion, that petition, got deferred because it's a perfectly functioning building. So, I think part of the issue that we're dealing with is not only the construction of this facility, but also the demolition it would have of a perfectly functioning building. We've had very good conversations with the applicants on this. The matter got deferred for further communication, further conversation with St. Andrew's Parks and Playground, with Councilmember Waring, Councilmember Shealy, myself, and any other members who represent West Ashley to address this particular area. The concerns that Councilmembers Waring and Shealy are raising are the concerns that we've been pounding on about the location of this, Playground Road and St. Andrew's ingress/egress, the demolition of this building, and as Councilmember Shealy has alluded to, this is right up on the very essence of West Ashley which is St. Andrew's Parks and Playground. To the children that will be visiting this place and patronizing this place and the access they have to it was just the safety in getting there, so, we have a lot to work out with this. I'm not opposed to a second reading because it will just set the stage of third reading. Either way, it doesn't matter to me if we want to defer it or not. I just wanted to bring to Council's attention there are several issues associated with this. I'm hoping we can work all of these out. If not, we'll go back to the drawing board on this. This is a very important part of the revitalization of West Ashley, how we address not only the construction of new buildings, but businesses, and how we address the demolition of existing buildings that sort of make up the fabric of West Ashley. Thank you, Mayor."

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

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "I mean unless somebody else wants to talk that hasn't been heard."

Mayor Tecklenburg said, "I didn't see anyone else."

Councilmember Waring said, "Alright. Good. One other thing that Councilmember Shahid kind of alluded to, we really have to make a decision. These little villages that we're tearing down, these buildings house small businesses, and they will always house small businesses. Right now, yes, this one needs a little facelift, but look at the areas that we've brought back successfully. Look at South Windermere, look at Avondale, and now we're looking at this area. We've got some success. We've got Home Team BBQ that's moved in. It's got a nice small business there, but there is a succession of small businesses there. Should we tear down these buildings, are we now saying that we need big boxes in these locations or medium size boxes versus getting away from the village concept and hopefully getting those revitalized? Not to mention, I know Councilmember Shealy knows this, but I believe a couple of children have actually gotten hit on Playground Road crossing from one side to the other, and that's without the volume of traffic going in and out of the park. So, it's imperative that we work out whatever reasonable solutions that people at St. Andrew's Parks and Playground are advocating for. Thank you, Mr. Mayor."

Mayor Tecklenburg said, "Thank you. Well, I would just like to say to Parker's credit that they must be proactively trying to work out these issues. They met with you. They requested that we not give it third reading. The deferral has the same effect, but it is a sign of good faith that they want to work with us. Are there any further comments or questions?"

No one else asked to speak.

Mayor Tecklenburg said, "The motion is for a deferral of this matter of both number five and number six."

On a motion of Councilmember Waring, seconded by Councilmember Shealy, City Council voted to defer the following bills:

*An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 1349 Ashley River Road (West Ashley) (approximately 0.28 acre) (TMS #418-05-00-002) (Council District 7), to be annexed into the City of Charleston, be zoned General Business (GB) classification. The property is owned by Graphic Glamour Holdings LLC. (DEFERRED)*

*An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 1351 Ashley River Road (West Ashley) (approximately 0.25 acre) (TMS #418-05-00-001) (Council District 7), to be annexed into the City of Charleston, be zoned General Business (GB) classification. The property is owned by Shubh Labh of Charleston LLC. (DEFERRED)*

The vote was not unanimous. Councilmember Griffin voted nay.

Councilmember Griffin said, "Mr. Mayor, just so, I think, I can explain my vote."

Mayor Tecklenburg said, "Yes, sir."

Councilmember Griffin said, "I think that deferring or not doing third reading would be the same exact thing, so I wish we could have done that."

Mayor Tecklenburg said, "Alright. Thank you. Next up is [number seven](#) regarding 109 Magnolia Road, is this back to Mr. Morgan?"

Mr. Morgan said, "Yes, sir. So, 109 Magnolia is 0.13 acre. It's requesting zoning of Single- and Two-Family Residential. It's a recent annexation from Charleston County. It's right here on Magnolia where Radio Road runs right into Magnolia. The structure is a duplex, so it makes sense that it would come in as Single- and Two-Family Residential. Showing a couple of images, it's in our suburban area in our Century V Plan, so that matches up. Here is an aerial image of the property and an overall character of the neighborhood. So, staff and Planning Commission recommend for the STR designation on this Single- and Two-Family Residential."

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

No one asked to speak.

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

Councilmember Shealy said, "Move for approval."

Councilmember Griffin said, "Second."

Mayor Tecklenburg said, "We have a motion to approve and a second. Are there any questions or comments?"

No one asked to speak.

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

*An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 109 Magnolia Road (West Ashley) (approximately 0.13 acre) (TMS #418-13-00-132) (Council District 3), pending annexation into the City of Charleston, be zoned Single- and Two-Family Residential (STR) classification. The property is owned by Darren Finan.*

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

Mr. Morgan said, "This is 2710 Pine Log Lane on Johns Island. It's 4.66 acres. It's a request to the zoning of DR-6. It was zoned Single-Family Residential (R-4) in Charleston County. The surrounding area in the City is DR-6 as you see. This is the Whitney Lake area, and the subject property is here. Pine Log Lane is here, and it would connect to the back of the Whitney Lake area in this location. Planning Commission reviewed it at their meeting last month. They recommended approval of the DR-6 with a 5 to 0 vote. I have some images. This is in our Suburban area of our Comprehensive Plan, and that means it is recommended for appropriate densities at four to eight units an acre so the DR-6 fits right within the middle of that. Here is an image of the property. It does have an existing house on the property and some trees. There are some wetlands that would not be built on, and it is, again, immediately adjacent to the Whitney Lake Development there. Staff and Planning Commission recommend approval of the DR-6."

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

No one asked to speak.

Mayor Tecklenburg said, "We do have one person, I believe, who wants to sign-in online."

The Clerk said, "Yes, sir. Cynthia Dillard, if you're on the line, if you could press \*6. Cynthia Dillard."

1. Cynthia Dillard said she lived on Pine Log Lane in Hampton Mill, and her concern was if there was going to be access through Whitney Lakes on Pine Log. She asked if anyone knew the answer to that.

Mr. Morgan said, "The access to the development would be primarily from the Whitney Lake Development. Should there be any other developments to the rear of this in the future, those would connect with it and ultimately to Pine Log, but at this point and time, the main access would be from the Whitney Lake Development."

Ms. Dillard said, "The Pine Log part to access is a dirt road now. It was my understanding that a developer would have to maintain that road. Is that correct?"

Mr. Morgan said, "Well, the developer would build two new City standards paved roads coming from Whitney Lake for access for the development."

Ms. Dillard said, "And would maintain it?"

Mr. Morgan said, "The City ultimately takes over those roads because they are paved asphalt roads, City roads. They would just be building the roads on the property that they would be bringing into the City, not the rest of Pine Log Lane."

Ms. Dillard said, "So, they would be paving the rest of Pine Log?"

Mr. Morgan said, "No, ma'am."

Ms. Dillard said, "Who paves the rest of Pine Log?"

Mr. Morgan said, "That would be up to the property owners or the County because it's still unincorporated."

Ms. Dillard said, "Right. My other concern is the DR-6. I see that it's set up for a Single-Family Conceptual Plan, but they can change that. Is that correct?"

Mr. Morgan said, "That is possible but the acreage is fairly small, and typically, if you're building anything beyond Single-Family, you wouldn't build that on such a small piece of acreage like that. I mean, their intent is to replicate the houses of Whitney Lake that it's immediately adjacent to and build more of that."

Ms. Dillard said, "And that's fine. Our problem is in Hampton Mill coming through Pine Log Lane, and Hampton Mill would like it not to be accessed through Pine Log."

Mayor Tecklenburg said, "Thank you for your comments. We appreciate it. We had four other comments."

The Clerk said, "Yes. We received four comments online. Four people opposed the request to the rezoning. They said that the development would increase noise, pollution, traffic intensity, and burglary for the homeowners of Hampton Mill. Those were all of the comments that we received."

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

Mayor Tecklenburg recognized Councilmember Brady.

Councilmember Brady said, "Yes. Thank you, Mr. Mayor. Christopher, I just have a couple of questions. So, I actually went out to take a look at this property earlier this week and several of the residents from Whitney Lakes that joined me, as well as some of the comments that I have received, is the applicant requesting the increase in zoning from SR-1 in the County to DR-6 here in the City?"

Mr. Morgan said, "Well, it's actually R-4 in Charleston County, and we don't have an exact replica of that district. It's roughly four units an acre in the County, but there are different iterations of that in the City because the remainder of the Whitney Lake Development essentially has been built at the DR-6 level and because that met our Comprehensive Plan recommendations for this area. That's why we recommended the DR-6 for the site."

Councilmember Brady said, "Okay. So, I guess my question is, how do we protect against it because it is a 4.66 acre site if I remember correctly?"

Mr. Morgan said, "Yes, sir."

Councilmember Brady said, "Right now the site plan is for 16 homes. How do we protect against an apartment complex or two going in on that property because they would have the extra units in the DR-6?"

Mr. Morgan said, "Right. So, about a third of the site I think is wetlands, so about a third is not going to be built on. So, you're really looking at only about three acres that get built on. We don't typically see apartment complexes get built on three acres. It's a very small tract to build such a thing on, and it would be very difficult. I mean on three acres the most number of units you could have on that would be 18 units. So, apartment complexes typically build 200 or 250 units, things like that, so it's just not something that we see as a practical threat to the property here. Also, it would not be a practical location for apartments having to go through the middle of a neighborhood like that. I mean you couldn't market them."

Councilmember Brady said, "So, what would be the harm in doing an SR-1 zoning for four units per acre? It would still meet the numbers that they're already proposing, but wouldn't allow for future denser development on that site."

Mr. Morgan said, "Those would be much larger lots than are already in the neighborhood. This probably would not happen would be my guess. I have not talked to the developer about that. Again, the DR-6 met all of our plans, so we have not had that discussion with them."

Councilmember Brady said, "Okay."

Mayor Tecklenburg said, "Alright. Do we have a motion?"

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, "Yes. I appreciate Councilmember Brady's boots on the ground. Good questions. I think we should move to defer this item so that we can get those answers in follow up to the owner who wants to annex into the City. I understand that we usually try to zone according to the context, but we're in a different world right now in terms of protective development and looking at elevation zoning. I couldn't see on the map where Hampton Mill is. Is that a neighborhood or is that another street? Every time we talk about a property that's in a vulnerable location like a lot of the places on Johns Island, James Island, outer West Ashley, even inner West Ashley, I do think that we should be very careful to know what the unintended consequences might be and how potentially we could know a lot more before we make a zoning decision. So, I would like to move for a deferral."

Councilmember Brady said, "I'll second that motion to defer."

Mayor Tecklenburg said, "We have a motion to defer and a second. I was going to recommend that myself. Is there any further discussion?"

Councilmember Waring said, "I do have one for Mr. Morgan."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "I'm going to support the motion because I can see the concern in Councilmember Brady's face but, Mr. Morgan, the original development, was that done in a PUD?"

Mr. Morgan said, "No, sir. It was done under the DR-6 in what we call our Neighborhood District designation that allows for a variety of Residential types. It ended up being that it was mostly done as Single-Family. Almost all of it was done as Single-Family. There are some townhouses, too."

Councilmember Waring said, "Okay. Thank you."

Mayor Tecklenburg said, "It sounds like some more conversation will be needed on this one. We have a motion to defer."

On a motion of Councilwoman Jackson, seconded by Councilmember Brady, City Council voted unanimously to defer the following bill:

*An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 2710 Pine Log Lane (Johns Island) (approximately 4.66 acres) (TMS #312-00-00-251) (Council District 5), pending annexation into the City of Charleston, be zoned Diverse Residential (DR-6) classification. The property is owned by Carey S. Rivers. (DEFERRED)*

Mayor Tecklenburg said, "That's the end, by the way, of our public hearing matters. Next up is our [approval of City Council minutes for July 20<sup>th</sup>](#)."

Councilmember Mitchell said, "Move for approval."

Councilmember Griffin said, "Second."

The Clerk said, "These are just for July 20<sup>th</sup>."

Councilmember Mitchell said, “July 20<sup>th</sup>.”

Mayor Tecklenburg said, “Just for July 20<sup>th</sup>. Are there any additions or changes?”

No one asked to speak.

On a motion of Councilmember Mitchell, seconded by Councilmember Griffin, City Council voted unanimously to approve the minutes for the July 20, 2021 City Council meeting.

Mayor Tecklenburg said, “They're approved. Next up is our [Citizens' Participation Period](#). Now, we normally just limit our Participation Period to 30 minutes. We have 80 people who have signed up to speak, and to be respectful, to give you just some opportunity to share your thoughts, we would like to limit you to a minute. That will mean our Participation Period will be about an hour-and-a-half long. So, I ask you, and I'll just show you how it works, all of those who are in favor of no mandate or requirements for kids to wear masks in school, please raise your hand.”

There was an outburst.

Mayor Tecklenburg hit the gavel.

Mayor Tecklenburg said, “No yelling, please. I'm just asking for the show of hands. Please cooperate with us.”

A citizen said, “Anything to silence the people.”

There was an outburst.

Mayor Tecklenburg hit the gavel.

Mayor Tecklenburg said, “The example didn't work very well, you all. I'm asking you when you want folks in the room to share your point of view, just please ask them for a raise of hands, no shouting, clapping. We got it. We can see you all. We get it. Alright. So, we will call out the names about three or four at a time. Yes, I see you over there, absolutely, and you all will just, please, queue up, and we'll be glad to listen to you this evening. Please state your name and address as you come forward.”

The Clerk said, “Our first speakers are Mohammed Idris, Jessica Zeigler, Melissa Engdahl, and Naomi Matthews.”

1. Mohammed Idris said it was a beautiful gym, and he thanked God they were able to see Black, White, Jews, Christian, and Muslim all work together for the benefit of God. However, they were on Daniel Island and when they read the Book of Daniel, the King was Nebuchadnezzar. He had 13 letters in his name. When he saw the power that Planning had before the vote in 2019, when the power of the people came back into hands of City Council, he thought that was very appropriate. But, when he saw Council put a man from Sin City in charge of Planning, that was an awful thing.

The Clerk said, “Jessica Zeigler.”

No one asked to speak.

The Clerk said, "Melissa Engdahl."

2. Melissa Engdahl said she was there to talk about Council's idea to mask two-year old children and above at daycares and public schools. She asked Council to let go of the fear inside of them over the virus. She had a printout from the CDC stating that 0 to 17 years old had a percentage of death less than 0.1%. They needed to follow the State law. She said God bless Governor McMaster. The fashion masks Council wore on their faces had been tested in a lab, and they had the pathogens on them that caused pneumonia, tuberculosis, meningitis, sepsis, encephalitis, urinary tract infections, food poisoning, Lyme disease, diphtheria, and legionnaires. Masks limited the breath, caused anxiety, caused panic attacks, and they stunted language. If Council wanted to help, they should give out Vitamin D in the hospital.

There was applause.

The Clerk said, "Naomi Matthews."

No one asked to speak.

The Clerk said, "Our next speakers are Kelli Williams, Minister John Henry, Katharine Ralston, and Lisa France."

3. Dr. Kelli Williams said she was a pediatric immunologist at MUSC, which meant she was a doctor for children that specialized in taking care of severely immune-compromised children. She was also a mother of two children who started school the next day. The prior day she saw 14 patients in her well-immunology clinic, and she diagnosed two with COVID. They came in seemingly well, without symptoms they thought, and were found to have a temperature of 103°. They had been at camps all day and infected other children, not purposely, but because they were sick. Neither of them knew they had symptoms. In Charleston, the Delta variant was surging, like in much of the United States. It was highly transmissible and contagious to others and because the viral loads were so high kids were presenting much sicker than they were with earlier COVID variants. Last week in their hospital they had three kids on ventilators, and one died from COVID and COVID complications. They knew masks worked. Last year in the fall they had about 1.3% of staff and kids who were infected. She urged Council to support mandates of masks to protect the children and community.

There was applause.

The Clerk said, "Minister John Henry."

No one asked to speak.

The Clerk said, "Katharine Ralston."

4. Katharine Ralston said she wanted to read a quote from Chris Guy, who predicted a year-and-a-half ago where they were right now. She wanted Council to think about it while she read it. 'The mask is about compliance. Next they're going to tell you that you have to take a vaccine and then guess what, kids? Once you take your vaccine, they're going to tell you

sorry, the vaccine isn't as effective as we thought it was going to be, so now you've got to still wear your mask, still got to get contact traced, still have all of the restrictions and social distancing, and still take your vaccine, and then what did you get out of all of this? You got a whole year where you weren't allowed to travel, your businesses were closed, they took your rights and freedoms, they forced an unproven vaccine on you, and what happened? The same amount of people died, everything is the exact same, and now they're going to put you back on lockdown and bring it all of the way to July of 2021. A few idiots haven't figured it out yet. It's a perpetual cycle that you never get out of, and it's a way to ensure a slave class, and that's what they are trying to do.'

There was applause.

The Clerk said, "Lisa France."

5. Lisa France said oxygen was one of the reason the planet had life. They needed O2 to live. They breathed in oxygen to feed their organs and tissues, and the end product they breathed out was carbon dioxide. The balance between those two gases was required, not if, not maybe, but required to maintain a healthy body. Continuous breathing of CO2 by mask wearing caused harmful and dangerous effects on the body: Hypercapnia: heart function interference, arrhythmias, esodemia, central nervous interference induced developmental retardation, seizures, coma, and even death. CO2 was an asphyxiant, a poison, that could permanently do damage to the respiratory function in their bodies. Studies showed there was no conclusive evidence, and she was sorry to hear about the children the doctor saw, but there was no conclusive evidence that masks helped healthy people to not get COVID. Even the WHO organization had said that. By replacing individual choice with collective mandates, public officials had polluted the science. She told Council to please do their research. Scientists had to find out that the 'masks for all' policy was not based in sound data.

There was applause.

The Clerk said, "Our next speakers are Ashley Regan, Carissa Nicol, Celina Ramsey, and Brett Barry."

6. Carissa Nicol said she was there to speak for the little children. She did not understand how Council thought that they were going to learn to read with a mask on their teacher's face or their face. They could not see the enunciation of letters. Last year, Council said that children in schools were going to get mask breaks. They did not get mask breaks. They were outside in the heat with a mask on their face. They only got 15 minutes at lunch to not have a mask. She wanted to know who on Council wore a mask for eight-plus hours a day and where the studies were that said in five years or however many years that wearing a mask for over eight hours a day was not going to have repercussions on developing children.

There was applause.

The Clerk said, "Celina Ramsey and Brett Barry."

7. Ashley Regan said she was a mother of two children in the district, a small business owner, and a previous educator holding a Master's Degree in Childhood Education and Psychology. She was part of the 200,000 families that had fled the tyranny of New York in 2021. She represented the parents being portrayed as the enemy, the super-spreaders, the anti-science

crew, and now as domestic terrorists. They were there because they were defying the illogical, non-sensical, one-sided guidelines. They were parents, and their job was to protect their children. No one knew their children better than them. COVID-19 was a virus, but so was the flu, strep throat, and RSV. She asked where Council was when their children were sick from those viruses, and were any of Council calling to muzzle their children in masks up to eight hours a day and demand their children quarantine for two weeks, or push their youth into an experimental vaccine? The answer was an overwhelming 'no.' The medical choices for the children were up to the parents only. They had asked and pleaded with Council. Their attempts were in vain, and now they had a slew of angry parents. Instead of enjoying their last day with their children, they were there fighting Council's overreach. She urged Council to cease all attempts at mandating masks for them or their children. She would not comply, her children would not comply, and more importantly there were a slew of parents, citizens, and grandparents who would not comply.

There was applause.

The Clerk said, "Celina Ramsey, Brett Barry, and Farin Doran."

8. Brett Barry said Mayor Joe Riley created opportunity and safety for the people of Charleston. The sense of unity he cultivated was the model, not only for the City, but perhaps the entire Country, especially in his last year in office. His accomplishments were being squandered by failed leadership. They had seen the destruction of King Street, they had seen murder in broad daylight, and they had seen divisiveness in the name of unity. The Commission on Equity, Inclusion, and Racial Conciliation's report was not a continuation of the success built during the Riley era, but rather a continuation of the downhill trajectory they had witnessed in Charleston over the past few years. The report recommended reducing funding for Police, putting Critical Race Theory in the schools, wealth redistribution based on skin color, and he said the radical recommendations went on. He said voting to receive the report and create a permanent coalition was to endorse and elevate the extremist agenda thinly veiled under the banner of racial progress. He told the Mayor to vote it down.

There was applause.

The Clerk said, "Our next speakers are Farin Doran, Jennifer Trudeau, Tara Wood, and Allison Benedetti.

9. Celina Ramsey said she was a medical freedom refugee from New York City. She had been in Charleston for a year-and-a-half. She moved her family of five to Charleston so they could use the public school education system in South Carolina. As of that date, they had not put their children in school. Last year, she was going to enter her child in Pre-K and was told that she would have to wear a mask all day, during nap time, and during recess. She believed that for every child she didn't put into the public education system, the County lost funding. Council really needed to think about what all of the parents there were saying and make a parental choice. She didn't want the government telling her that she couldn't assess the risk for her family.

There was applause.

The Clerk said, "Farin Doran."

10. Farin Doran said she came to Council as a health care worker, and she worked with COVID-19 patients if Councilmembers wanted to say thank you to the health care workers. She said Council asked their children to do what the health care workers on the front lines were not willing to do themselves. They did not wear their masks all of the time. They pulled them down, they had headaches, and some couldn't breathe. They went home, they were tired, and they took it off and set it aside. They looked at their patients, and then turned around to 'sigh.' The sad thing was that she looked at all of the board members that were on the board that voted in CCSD, and none of them worked in health care. She said how dare someone make a health care decision, and not actually work in health care. Council had to be willing to wear masks for eight hours and play recess before they even made a decision for the children. She said every single one on Council, and the people in the back with their masks on, had been touching them the whole time. In a health care situation, they would have been told to throw them away and to stop wearing them after two hours. Parents didn't care about masks. They just asked for no mandate. Wear it, don't wear it, don't mandate what they did with their children.

There was applause.

The Clerk said, "Jennifer Trudeau, Tara Wood, and Allison Benedetti."

11. Jennifer Trudeau said she recently moved out of Charleston County, and she was thankful that she was no longer subject to the tyranny. She specifically said hello to Councilmember Griffin and hoped he remembered their phone call last February when she was accosted by the Charleston Livability Department in the middle of Target. She said Councilmember Griffin promised that he would get back to her multiple times and he never did.

Councilmember Griffin said, "You threatened to sue me, so I couldn't speak to you anymore."

Ms. Trudeau said she threatened to sue after she got no response from Councilmember Griffin. She asked Council to look around as they did not have the consent of the governed. Council was looking at mask non-compliance. They were all law abiding citizens, and it wasn't what they wanted to do but they would. She was a home school mom, and she brought her kids to the meeting to teach them a civics lesson about standing up for their rights because they certainly would not learn it in public schools. She said there was no emergency, and the gig was up. The masks were theater. It was obscene, masking two-year olds was disgusting, and she said she and other parents would not comply, and they weren't asking.

There was applause.

12. Tara Wood asked to see Council's scientific proof that masks worked. She said Council could not provide it because it did not exist. However, there was plenty of scientific data to support the adverse, mental, emotional, and physiological effects of long-term use face coverings especially on their children. She asked if Council had ever smelled someone's bad breath through their mask as she had even wearing two masks. She asked if Council's glasses fogged up from wearing masks, and if so, it was due to small aerosol, which was responsible for spreading viruses. A mask might stop a few large droplets at best, according to Dr. Fauci. She had his video if Council wanted to hear it. The two largest teachers' unions sent letters to the CDC with the guidelines that they wanted at schools and the CDC posted those guidelines verbatim. 'If wearing a face mask could stop tiny viruses from penetrating through

it, why do virologists suit up like they are walking on Mars. They should also be protected just from wearing this mask.' They wanted medical freedom. She said make masks a choice.

There was applause.

The Clerk said, "Allison Benedetti, D. Allen Dotscon, Joe Elmore, and Blake Adams."

13. Allison Benedetti said she was a Mom of a seven and eight year old, and a former teacher. She said it was really hard because she moved to South Carolina for medical freedom, as well, when her kids were kicked out of school in New York for having missed two vaccines. Her kindergartner was kicked out of school after two weeks, so she moved to Charleston, 800 miles away from her family for freedom. She said that Council brought people to the meeting like the MUSC folks in the back of the room with their costumes for theater, to try to pull some heart strings, but Council had heard about the numbers and what was happening with kids. She pulled her kids out of school, and she sent them to private school last year. No masks on the teachers or kids for the whole year in the whole school. There were no cases, and there were no school closures. Everyone did fine, but she collected stories from families whose kids suffered with masks in the public schools with headaches, migraines, mask mouth, maskne, anxiety, and depression. There were consequences to Council's actions, and the parents had to deal with them. It was their choice and they had enough.

There was applause.

The Clerk said, "Our next speakers are D. Allen Dotscon, Joe Elmore, Blake Adams, and Larry Dennis."

14. Blake Adams said he came there saddened, knives were drawn throughout different levels of government, and citizens were down each other's throats. Parents had to make hard decisions, home schooling, finding rational private schools who did not mask, business owners railing from the biggest public policy calamity in Charleston history. He said great work, guys, and there they were that evening. Council just couldn't leave them alone. He was there to make the case on how the disgusting face diapers were not only useless, but destructive. He was there to meet people steam rolling like petty tyrants threatening his personal choices for his family like disgusting face diapers. He had protected his children, and now Council threatened their private schools based on freedom. Their school was a school that operationally and academically performed better than masked schools last year. Their majority could care less about how they affected people's lives, their businesses, and their churches. Their rubber stamping, marxists, racists, Equality Commission, he knew exactly where they were coming from. The Board had evolved from a moderate left leaning Council to piling on with the hard left. Council and the cooperating media stroke the fear. Their moral busy bodies and ordinances had nothing to do with the safety of the public, and their virtue signal was done because they thought it advanced them politically. He said if they disagreed on face coverings, then post the data and show him where all of the deaths was compared to the peak before vaccines. It was a fraction. He told Council to post their data so they could have a real debate before they started violating civil liberties, stifling business, and causing division because the citizens weren't going to tolerate it anymore. He had been obedient, but they should hear the sentiment now. He said to just leave them alone and go provide another permit for a hotel or something. He told Council to do what they were going to do, but some of their Council positions were not safe, and they were coming for their seats, so continue to torment their constituents. They would return the 'middle finger.'

There was an outburst.

Mr. Adams said, "Ross, how come you weren't wearing your mask? I saw you in your office. I was there."

The outburst continued.

The Clerk said, "The next speaker is Joe Elmore."

Mayor Tecklenburg said, "Next speaker, please."

Mayor Tecklenburg hit the gavel.

Mayor Tecklenburg said, "Sir, you had your share. Next speaker, please."

Councilmember Griffin said, "Mr. Mayor, I think we need a recess. It's getting out of hand."

Mayor Tecklenburg said, "No."

Councilmember Griffin said, "Yes, we do."

Mayor Tecklenburg said, "We're in our Public Participation Period. I'm sorry, Councilmember. Next speaker, please."

The outburst continued.

Mayor Tecklenburg hit the gavel.

Mayor Tecklenburg said, "Order, you all. We're in a Public Participation Period. We're taking one at a time. Yes, sir. Please proceed."

15. Allen Dotscon asked Council how many of them ran for the School Board and told them to get out of School Board business. With regard to the Racial Bias Audit Report, he said Council was not in the School Board business, so they should get out of youth education. He was all for youth support, but get out of the education with Critical Race Theory. He asked if Council knew the five main points of it. He said they didn't. They weren't on the School Board. He said to do City business, not School Board business. Why didn't they just continue with the totalitarianism of Mayor Tecklenburg and tearing down the statues? He had already gotten rid of Calhoun. Why didn't Council just do the rest of them and get it over with?

There was applause.

The Clerk said, "Our next speaker is Joe Elmore."

16. Joe Elmore, President and CEO of Charleston Animal Society, said on behalf of the 2021 membership of the Charleston Animal Society representing over 18,000 citizens, they recognized that City Council had a jam-packed agenda, and would address a number of important and sensitive issues including the special report from the Commission on Equity, Inclusion, and Racial Conciliation, public hearings, masking mandates, Emergency

Ordinance, and many other things. They understood that many citizens wanted to exercise their democratic right to participate by making public comments on the various issues. It was with that in mind that they respectfully requested City Council to defer the first reading of the last agenda item, the Safety Ordinance, until the next City Council meeting. The issue was not time sensitive, and deferment caused no inconvenience to any party. In good faith, they had asked their constituents to not make public comments so that Council could devote their time and attention to the other very important issues. He thanked Council for their efforts in representing the community, in addition to their full-time jobs where at this particular time in history, and he thanked Council for helping to make a democracy in the community strong.

There was applause.

The Clerk said, "Erica Cokley, Tracey Owens, Tracy Doran, and Annie Doran."

17. Erica Cokley said she came all of the way to the meeting because when she looked at the agenda and what was on it, it was ironic where the meeting was held, the time that it was held, and the people that it was actually meant for it to be. Even as she stood there and she was listening to everything that was happening, she asked and encouraged that Council use their voices to help. She said to keep the mask ordinances exactly where they were. There were lots of people walking around and wearing masks. Some people would never be able to take their masks off. They wore their masks to sit in City buildings, they wore their masks to sit in their education systems, and some of them still wear masks simply to fit in the society. Bring it downtown, in North Charleston, bring it on Johns Island. Just like those 30 people that came there, the room should have been filled just like this. She urged Council to meet people where they were at. When they could take their masks off, then those people could take their masks off, too.

There was applause.

The Clerk said, "Tracey Owens, Tracy Doran, Annie Doran, and Elizabeth Brackett."

18. Tracey Owens said she lived downtown, and thanked the people responsible for implementing the mask mandate. She was also in agreement with the Special Commission on Equity and Inclusion unlike Councilmembers like Councilmember Appel who stated they didn't want the words critical race theory and reparations to be in the literature. By doing so, City Council would silence black voices and the people who built the City of Charleston. If the document went forward with a change in verbiage, it would go against the purpose of the Commission.

There was applause.

The Clerk said, "Tracy Doran and Annie Doran."

19. Tracy Doran spoke in favor of the report by the Special Commission on Equity, Inclusion, and Racial Conciliation. She was honored to serve as the Chair of the Housing and Mobility Subcommittee. There was a lot of really good work done, and they were charged with finding inequities and finding solutions. They were told to be bold, to think outside of the box, and to make a difference. Forty people from different walks of life came together and volunteered their time. She said it was hard work, but they did it, and the report Council received was just the beginning. They were told that not every recommendation would be accepted by City

Council and move forward. She was there to respectfully ask that Council receive the report in the spirit of equity, understanding, and excitement that fostered the recommendations that were in it and to forward the work of the group by allowing them to continue to work and come together to make Charleston a better place. She could guarantee, having worked with Mayor Riley for many years on issues of housing and equity, that he would have been in full support of what was done with the Commission.

There was applause.

The Clerk said, "Annie Doran."

20. Annie Doran spoke about the report to be presented by the Commission on Equity, Inclusion, and Racial Conciliation. The history of oppressed people of color in Charleston had deeply affected the City to this day. Local statistics showed that there were huge discrepancies in the treatment as well as the economic resources available to people of color. She commended the Commission for the thoughtful, thorough work to come up with solutions and empower thousands of underserved Charleston citizens. Racism and its legacy was a pervasive problem requiring bold and groundbreaking solutions. She understood that the report would face opposition, but she was there to ask Council to put solutions over the status quo. She looked forward to a time when history would reflect on the moment. Charleston had an opportunity to be a leader and a model. She asked Council if they wanted to be remembered as the Council who rose to the occasion or who shrunk in the face of change? She asked Council to respect the immense work that went into the report and to please receive it for consideration.

There was applause.

The Clerk said, "Elizabeth Brackett, John Robinson, Mike Obremson, and Rakyl Leroy."

21. Elizabeth Brackett said she was not going to address the fact that there was no medical evidence to support masks for their children or for anybody as it was covered. OSHA guidelines hadn't, but she was sure there was somebody there who would cover that. She was a former teacher, with a Master's Degree, and when she saw statues coming down last year, she and many Americans realized that they were on a dangerous slope. They were headed down the road to Communism, and right now, what they saw in the nation was forced mandates that went against their State law, that went against their Constitutional law, and it went against their civil liberties. They weren't a Communist nation. The Founding Fathers created the Country on 34 percent of Biblical principles, and contrary to popular belief, the Founding Fathers were Christians. They believed in divine providence. She said City Council needed to stop the mandates, remember that it was a free Country, and there were many Americans like the Founding Fathers. Her great, great, great, great Uncle Francis Hopkinson signed the Declaration of Independence, and when he did he knew he was signing his death warrant. Her grandfather died in World War II fighting for the very freedoms she stood for that evening. They needed to fight for America. They needed to teach the United States Constitution in the classrooms, not critical race theory. They needed to teach the Federalist Papers and teach Americans how to be Americans. She had never seen the Country so divided. A few years ago, Charleston came together in solidarity because of what happened at Mother Emanuel, and now it was more divided than ever. It was not the City or the State that she grew up in.

There was an outburst of applause.

The Clerk said, "John Robinson, Mike Obremson, Rakyl Leroy."

22. Rakyl Leroy spoke about the PCR tests. The CDC already said they didn't work. She asked how were they testing the Delta variant. She would love to know from a doctor. She asked if anybody wanted to answer. 'Fear, fear, fear,' she said. She asked if there were doctors that could give Council some advice, since Council wanted to dictate and mandate things on them. There were four vaccines. She said to get all of them and take all 33 boosters, and then, if that didn't work, put 33 masks on their faces. If that didn't work, stay home for 666 days. She said Council may not understand those numbers, but she could guarantee the Mayor did. The community was awake. She said Council conspired against them with their puppet masters, but they knew what was going on. They were awake, the lions were awake. They were going to hear them roar. She prayed at night with her children for Council's free will to allow the spirit of God to touch Council and wake Council up if they were even human.

There was an outburst of applause.

The Clerk said, "James Bessenger, Pringle Franklin, Lynz Piper-Loomis, and Richard Morse."

23. John Robinson said he worked for the City as the Chairman of the BAR-L. He commended the members of Council and read a letter from Henry Fishburne in the paper related to the City's equity report. Racial reconciliation in Charleston was a laudable goal. Ending racial disparities was a laudable goal to pursue. Giving opportunities to underserved groups was a laudable goal. The report as presented used a sledge hammer when they should have used a scalpel. He respectfully requested that Council adopt the report as information to consider it, but not take the additional step of actually implementing those things. He believed the division in Charleston was a result of the events from last summer and would only be expanded and exacerbated if the report was adopted as published. He thanked Council for their consideration and suggested to either defer the matter or merely accept it as information instead of making it policy.

There was applause.

The Clerk said, "James Bessenger, Pringle Franklin, Lynz Piper-Loomis, and Richard Morse."

24. Lynz Piper-Loomis said the people did not consent to being governed in tyranny. They didn't have a racism issue, they had a Communism issue and a civility issue. All of Council was accountable. She told Mayor Tecklenburg, who she had known for quite some time, that she would ask that God pierce every single one of their hearts. She could sit there and preach at them, but every single one of them knew that men like her husband got up and walked when God audibly spoke to him and said, 'Your legs will work.' She said Council knew what their men and women had sacrificed for. They knew exactly what they had done. They had made a deal with the devil. She screamed, 'Dear Heavenly Father, I ask God that you will pierce every single one of their hearts, God; that you would pull out your spirit where your spirit is; we have freedom, God; and this nation we will not bow down to the devil, God, but we will open up and we will allow, God, for your spirit to win.' She said the people would not bow down to Communism. They would not allow the regime to continue. They would not be silent, and they would not comply. They civilly disobeyed every single one of Council's orders. Council knew Governor McMaster and what he ordered. She knew exactly what was going

on, and they would not bow down to Council. They only bowed down to God, and their oath was to the United States Constitution. She told Council to get themselves in check.

There was applause.

The Clerk said, “James Bessenger, Pringle Franklin, Richard Morse, and Tammy Kanapaux.”

25. Richard Morse said he heard words such as simple, easy, and common sense to describe masking. However, for special needs children and their parents, they were anything but. He had a son with epilepsy, and while he may be eligible for a medical exemption under the ordinance, they would not avoid psychological trauma in a mandatory masking environment. He asked Council, if they were young with a special need, would they like to explain daily to their school mates why they didn't have to wear a mask? He said masks should be optional for all children full stop. No child or parent should have to explain pediatric medical conditions to anyone other than a pediatrician. They knew that for children between 0 and 12, COVID-19 was about as dangerous as a bad flu season. What they did not know was the psychological trauma that mandatory masking had on children. Did children with medical exemptions feel unworthy? Would some children who felt forced to wear a mask suffer from anxiety for the rest of their lives? How could Council possibly mandate masks for children when there was not one scientific study that addressed those potentially deadly serious questions?

There was applause.

The Clerk said, “Tammy Kanapaux, MaeRe Skinner, Butch Skinner, and Dr. S. Franklin.”

26. Tammy Kanapaux asked if Council believed in the Constitution. If they did, why would Council take away their history and try to create division among all of them. They believed in the Constitution. Charleston was one of the most united places she had ever seen in her life, and Council was trying to split them apart. She said Council needed to stop and help unify the people. They were Americans. They were not Marxists or Communists. She told Council to stop it. If that was what Council wanted, they should move to one of those countries. They needed their police, they needed their Country, and they needed their children not to be subject to all of Council's beliefs. They were wrong.

The Clerk said, “MaeRe Skinner, Butch Skinner, and Dr. S. Franklin.”

27. Pringle Franklin said the Equity, Inclusion, and Racial Conciliation Report seemed to have happened awfully fast. She appreciated that many people put their time into coming together to come up with solutions, but she, as a resident of the City of Charleston, would have liked for more people to be able to read the report. It was very lengthy and complicated. Those were important questions before them. She knew there were some good things in the report, and she also knew there were some things in it that she and other residents would not like. For instance, she was 100% behind the police, so she didn't want anything that would not support the police. Her mother, who was 80 years old, was attacked on Beaufain Street three years ago. She was pushed down in the dark on her front steps. The police solved that case for her and helped her mother through her trauma. She asked Council to table any further action on the report or on making the Committee a permanent fixture of the City until more of the residents had a chance to read the report and talk about it. 'Let's have some discussion groups, let's unify,' she said.

There was applause.

The Clerk said, "MaeRe Skinner, Butch Skinner, Dr. S. Franklin, and Elizabeth Mack."

28. MaeRe Skinner said she was a 5<sup>th</sup> generation Cainhoy resident. She thanked Mayor Tecklenburg for giving her the time, and thanked Councilmember Seekings, Councilmember Waring, Councilmember Gregorie, and most of all, Councilmember Mitchell, who fought for Cainhoy for so many years against so much. They went back a long time. She stood in support of the cemetery ordinance for the unmarked graves. She said anyone who read the Charleston Paper knew that their cemetery in Cainhoy had been front page news for many copies lately, and since 1997 they fought for that. She told Council to please support that. She also asked Council to consider two things regarding the City Plan; have the workshop in a location where the residents of Cainhoy could attend. They couldn't get downtown to attend the first reading of the City Plan because of the flooding downtown during the last City Council meeting. She asked them to consider Philip Simmons High School or the Daniel Island Recreation Center as locations to have the workshop. She said she supported the Coastal Conservation League's Plan and ideas for the City Master Plan. She thanked Council for their time, and she was so glad to see everyone.

The Clerk said, "Butch Skinner, Dr. S. Franklin, Carolyn Barrett, and Elizabeth Mack."

29. A man said he came to the meeting to talk about infrastructure and affordable housing. They were very important to him, but it seemed there was something much more important. He thanked Council because the meeting started out with prayer and the Pledge of Allegiance to the United States, and he appreciated Council for that. He grew up in a school system in South Carolina where they prayed, said the Pledge of Allegiance, and the 23<sup>rd</sup> Psalm. He wondered where they would be today instead of there fighting among each other if they had kept those concepts in schools and their Country. He wanted Council to know that he supported no masks for children, but he also wanted Council to know that they were at a crossroads in their life, Country, and City. They didn't need critical race theory, they needed to be together. They were part of a community. They were all one people that loved each other. They had been in this place for many years. They had black friends, white friends, who came together to talk and pray, and it was a special time. He told Council before they considered critical theory, to go back to the word of God, and think what he had to say, and use that to make their decisions.

There was applause.

The Clerk said, "Dr. Franklin, Carolyn Barrett, Elizabeth Mack, Marcus McDonald, and Belvin Olasov."

30. Dr. Elizabeth Mack thanked Council for allowing her to speak. She was a Board Certified Pediatrician and Pediatric Critical Care Physician in Charleston. She wore a mask for at least 12 hours a day as did her colleagues, and she cared for children with COVID-19, MIS-C, and many other conditions for the past year-and-a-half. She served with great privilege and was so grateful to be trusted with their most precious gifts. Several of them participated in a press conference with State Superintendent Spearman and DHEC's Epidemiologist, Dr. Linda Bell, discussing the safe return to school. As they all knew, the Delta variant was incredibly contagious. She and her colleagues were concerned that they would soon encounter more

preventable deaths, and the hospitals would be beyond capacity. They had the power to stop it. The science supported the universal masking of students greater than two years of age, staff, and teachers in schools, regardless of vaccination status, particularly in a community like Charleston, where the rates were soaring. Across the Country, children's hospitals had a record rate of 121,000 new cases last week on top of the usual causes of pediatric hospitalization. She asked Council to consider what was good for kids, which was in-person safe schooling, and she asked Council to consider what was bad for kids; learning loss, COVID-19, and MIS-C. Children needed to be in school safely and consistently. Council's help was needed to support universal implementation in their schools.

There was an outburst.

There was applause.

Mayor Tecklenburg said, "Thank you so much."

The Clerk said, "Elizabeth Mack, Marcus McDonald, Belvin Olasov, and Ruth Zheltor."

31. Dr. Sam Franklin spoke in response to the Special Commission on Equity, Inclusion, and Racial Conciliation. While he respected all of the hard work that had gone into the report, it was 545 pages long. He thought it required a little more study and input from the local community before it could be incorporated into the philosophy of the City Council.

There was applause.

32. Belvin Olasov urged Council to accept the recommendations of the Commission on Equity, Inclusion, and Racial Conciliation. The median white family in the Country had 11 times the wealth of the median black family. They could walk from the Eastside to King Street to Gadsden Green and see quite easily that they lived in a profoundly unequal City. The Peninsula was a patchwork quilt of white wealth and black neighborhoods in need of repair. He believed there was not only a moral obligation, but a real urgency to take action on racial equity. The climate crisis would take the fault lines in society, the decaying housing and infrastructure, the food insecurity, the lack of wealth or health care access, or means to evacuate, and turn them into active tragedy. They must work to make their society whole and not equivocates. There were uses for sledge hammers, and this was a sledge hammer issue.

There was applause.

The Clerk said, "Marcus McDonald, Ruth Zheltor, Patrice Bliemister, and Sarah Thompson."

33. Marcus McDonald, President of Charleston Black Lives Matter, said he supported the Commission on Equity, Inclusion, and Racial Conciliation. He said some of the comments made beforehand were out of pocket. The black community was not a slave class. The white community didn't need to let them breathe because in the jail, officers put a spit mask over a man's face, and he died. He said not to put a sign up that said, 'Let me breathe.' They could breathe and they would be alright. Regardless, he was there to talk about the Commission on Equity, and the reason they were there today because for hundreds of year--"

There was an outburst.

Mayor Tecklenburg said, "You all, please let him speak."

Mayor Tecklenburg hit the gavel.

Mayor Tecklenburg said, "One person at a time. Everybody has their turn."

Mr. McDonald said, "Let me talk. I can't talk."

Mayor Tecklenburg said, "Let Mr. McDonald speak, please. Thank you. Please proceed, Marcus."

Mr. McDonald said, "Okay. Thank you."

Mr. McDonald continued by saying the reason they were there today was because of a hundred of years of them prioritizing money over people. They could no longer make that mistake. For this to be truly a just, equitable, unified City, they had to right what was wrong, and that was what they were doing with the Commission. He fully supported the Commission. He didn't care what the lady preached for or what Tim Scott said. They did live in a racist Country and Charleston was a racist City.

There was an outburst.

Mr. McDonald said they didn't need critical race theory because they were standing on a plantation right now. The black plantation was the biggest harvester to have indigo. They enslaved so many folks through indigo it became a cash crop. They cultivated so much indigo they legalized slavery in Georgia because indigo was processed at this plantation. They must prioritize people over money, and they must listen to the people. The people were saying they needed reparations. He ended with an MLK quote 'The problems of racial injustice and economic injustice cannot be solved without a radical redistribution of political and economic power. The problems of racial inequity—'

Mayor Tecklenburg said, "Thank you, sir."

There was an outburst.

Mayor Tecklenburg hit the gavel.

The Clerk said, "Ruth Zheltor, Patrice Bliemister, Sarah Thompson--"

Mayor Tecklenburg said, "Alright, now, order everybody. One person at a time. Yes, ma'am. Please proceed."

Mayor Tecklenburg hit the gavel.

Mayor Tecklenburg said, "Hey, you all, come on. Everybody is entitled to their opinion. Come on, let them have a chance. Yes, ma'am. Please proceed."

Mayor Tecklenburg hit the gavel.

Mayor Tecklenburg said, "Order, please. Yes, ma'am. Please proceed."

Councilmember Griffin said, "I've never been more ashamed than I am right now. Never, with all of this."

Councilwoman Delcioppo said, "I am disgusted."

34. Ruth Zheltor said she was there as a mother of two children in the CCSD schools. She did not support the mask mandate. It was not a one size fit all solution. They asked for the choice to make parental decisions for their own children. She was disheartened that they as parents may not be given this choice. Her children needed socialization and education, but at the same time, she could not in good conscience, send them to school wearing a mask for eight hours a day. It caused harm and other damaging effects. Just because people wanted to believe something would work did not make it true. She asked where were the peer-reviewed studies? She had yet to see one. She asked why so many people were saying that masks protected their kids, but could not give them concrete evidence and how was it safe for their kids' mouths to be covered for eight hours a day? Those children were sitting in a classroom all day together breathing the same air behind their homemade, flimsy, fashion masks. They took them off to sit and eat lunch together every day. She knew because she had a child in school last year, and he told her all about it. Did Council really think children were not sharing their lunch with one another?

There was applause.

The Clerk said, "Ruth Zheltor, Patrice Bliemister, Sarah Thompson, and Jose Jaramillo."

35. Sarah Thompson said she was a student at the College of Charleston and came to advocate for black Charlestonians in favor of the Commission of Equity, Inclusion, and Racial Conciliation's recommendations and expansion. As a mixed race student at C of C, she told Council there were two views on the reality of being black in Charleston. From her white peers, to former bosses and friends, she would hear comments such as 'that side of town,' and be told 'to never consider living past Line Street on the Eastside, downtown because it was not safe and that it was scary.' What they meant was that, it was not predominantly white, and that it is black. It showed her that the gentrification, economic disparity, and prominent other mentality in the City and the horrors that had worked against black people were vividly seen, but not cared for in the slightest way. It was also synonymous as to why black people in the Country had not received reparations, yet Jewish people and Asian Americans no longer had to have this conversation or fight for theirs. It showed her that it was a privileged and anti-black agenda that the City was plagued with. Meanwhile, when she was with any black friends or POC peers, or very few white allies, they spoke about how many out-of-state licenses they saw, and the increase of apartment complexes. They talked about the looks and glares the tourists and gentrifiers passed down upon the Palmetto rose sellers, and thought they were the ones who did not have a right to be there. She said it was heartbreaking to witness the eeriness of the others.

There was an outburst.

The Clerk said, "Jose Jaramillo, Chynna Chan, Neita Wiese, and Sophia Hastings."

36. Jose Jaramillo said she was sure everyone there had been to downtown Charleston. It was beautiful. All of the restaurants, the shops. She needed Council to ask themselves how it got

to the way it was today. They should ask themselves when they went to a restaurant, who cooked their food. When they went to the shops, who could even afford to buy that. Ask themselves how many people you had kicked out of your home, how many black people had been kicked out of their home to build all of the new houses and businesses that only helped white people? To answer her first question, it was the continuing oppression of black people. After over 400 years of oppression, reparations was the least Council could do. She could not even tell Council how many white people's heads turned when she and her friend walked into the building. They didn't even know why they were there. They just assumed. No white people in there had felt being discriminated against for the color of their skin, which was why she said reparations was the least Council should do.

There was applause.

The Clerk said, "Chynna Chan, Neita Wiese, Sophia Hastings, Henry Fishburne, and Leslie Hart."

37. Sophia Hastings said she had three boys, two of which were at home with her husband. She was not home enjoying dinner with her son, who just had his first day of kindergarten and hear about the joy of his first day. Instead, she was at the meeting pleading with Council to vote 'no' for the mask mandate, so he could return to school the next day with the joy he experienced that day. There were multiple studies that showed masks simply could not prevent the small particles from passing through. In surgery, doctors must switch their N-95 masks every ten minutes for them to be reliable. They could not expect their children to wear a mask all day, every day. There was no mask mandate in schools last year. No children wore one, no teachers wore one, and not one day were they closed.

There was applause.

The Clerk said, "Henry Fishburne, Leslie Hart, and Carolyn Milan."

No one asked to speak.

The Clerk said, "We have George Washington, Rynie Forsberg, and Rubew Bucker, and Nathan Nagel."

38. A woman said she wanted everyone to take a deep breath and look and listen to what happened to them as a community. They had never been more divided, and it was so distressing. She was a teacher in Charleston County public schools for 28 years, and children were taught to see other people. They didn't see color, they didn't judge their peers by the color of their skin, and anything they did to try and stop racism by creating racism and putting one race against another was very wrong. They had things to do. They had steps to take, but this was not the right way to do it. On the mask issue, she respectfully asked Council to look at themselves because the Mayor, whom she respected greatly, took his mask off when he wanted to speak when the meeting started. She said to think about being a five-year old in class, the first time they were away from their mommy, and they wanted the teacher to see them and to smile at them.

There was applause.

The Clerk said, "Margaret Adams, Sandy Henderson, and Todd Weschler."

No one asked to speak.

The Clerk said, "Chris Bunt, Tony Fogle, and Caryl Randazzo."

39. Todd Weschler said he was the Chair of the Libertarian Party, which was a party of freedom, rights, and right of choice. As a libertarian and as the Chair, their views were against the mandate, and it was also about responsibility. He wore an N-95, and he wore it the whole time there except for when he spoke. His wife was a physician in town. Her colleague tested negative early last week, ended up getting symptoms, ended up testing positive, and in that window his wife was in close contact. His wife tested negative that morning, and it was a breath of fresh air because he didn't know whether he was going to get it, whether they would give it to her parents, whom they just saw on the weekend. They didn't know, but the masks worked. People had the choice, people had the responsibility, people made their choice, but people had their rights and responsibilities.

There was an outburst.

The Clerk said, "Chris Bunt and Tony Fogle."

40. Chris Bunt said he was a husband, father, son, a physician, and a veteran. There were three things they could do to help stop the spread of the pandemic. One was social distancing and another was vaccination, which were not things they could do in the schools very easily with the young children. The third thing they could do was try to encourage masks. He was in support of the mask ordinance.

There was applause.

The Clerk said, "Tony Fogle, Caryl Randazzo, and Sue Ann Azia."

41. A man said he was a Charlestonian and proud to be one. He didn't agree with the mask mandate. He worked for the Mayor and the finest Police Chief ever, Mayor Riley and Chief Greenberg. He had never seen things as they were right now. He thought the Racial Conciliation Program needed some more time. He didn't know if those five members who were on the Commission, besides those on Council that were even there that night, but he thought they needed to take some more time, and he asked Council for that. As a former City employee and a citizen there for all of his life, he asked Council to do that and give the people some more time also because they had an important job, as well.

There was applause.

The Clerk said, "Caryl Randazzo, Nicole Trimmer, and A.J. Gardner."

42. Nicole Trimmer said she was a military spouse and a mother of four. She didn't hear anybody mention that masks were really about risk mitigation. Her mask protected them, and their masks protected her. It was more about lowering how many people would get infected. Even if it was a 20% chance lower, she thought they should take it for their kids. All four of her children wore masks all day at school, and they were 100% used to it, and they were fine with that. She was 100% in support of the Commission Report and said America was really

behind on that. Slavery was a travesty and nothing was done to correct it. Charleston made money off of the entire City that black people built, and they should act on reparations.

The Clerk said, "Nicole Trimmer, A.J. Gardner, and Dr. Karen Gersch."

43. A.J. Gardner said he was a 7<sup>th</sup> generation Charlestonian, something not many people in the room could claim. Council let decorum go at the beginning of the meeting, and as soon as the Charleston Black Lives Matter President spoke, they started cutting microphones. He wanted Council to reflect on that. They sat there on Daniel Island albeit annexed still in Berkeley County, one of the wealthiest and most white washed areas in the Tricounty area, where students were zoned for Hanahan to discuss moving forward with their strategy on improving equity, diversity, and inclusion. He was there in support of mask mandates, reparations, Critical Race Theory, and moving law enforcement budgets to prioritize mental health and social services. Ending segregation was also fear mongered as Marxist and Communist. There were people in the room who said they had never been as divided as they had been, but they were old enough to have used segregated water fountains. Council allowed those people to go over time, break decorum, yell at Councilmembers, which he knew Councilmember Griffin had not allowed in the past. He asked Mayor Tecklenburg why he didn't gavel them and shut their microphones off. Just because one group was louder did not make the majority in the town. They were the only ones who knew about it. There were more people there in support of those things. Council needed to outreach, communicate, and be open with them. The room would be flooded when they did it.

The Clerk said, "Susan Caesar and Dr. Karen Gersch."

44. A woman said she represented her kids who went to CCSD schools. All of last year they had to wear masks. Unfortunately, in their school, when the mask mandate was lifted there was a minority. Her daughter, who was only four, experienced headaches and nausea all year, and her seven-year old suffered balance issues. Also, they were bullied for not having a right mask or for having a right mask. She said that those parents who supported it, let them choose, but there were parents who believed that no mask was a better decision for their kids. They just wanted their voices heard and wanted to make their decisions for their own kids.

There was applause.

The Clerk said, "Can you state your name for the record? I think we've gotten out of order. We just want to make sure we've got everyone's name for the record."

45. A woman said she had knowledge and history to realize and wanted to share from her personal experiences. She grew up in a socialist country and was a 1<sup>st</sup> generation immigrant in the United States. It hurt her heart to see how the Country was falling down to the Communist party. If any of them didn't know what she was wearing on her neck, she encourage them to research. It was a Communist sign Pioneer tie she had to wear in school until 5<sup>th</sup> grade. She saw the masks as a sign of the Communist party in the Country. What blacks and whites were teaching in the schools was division. She encouraged Council to unite and stand up for history. Charleston had a rich history and said not to lose the Country because this was America, and it was freedom. It was where she came as a cleaning lady who could not speak any English, worked in Memphis, Tennessee, and she now owned a business in Mt. Pleasant.

There was applause.

The woman continued by saying she wanted Council to all unite. They didn't need to defund the Police.

The Clerk said, "Dr. Karen Gersch."

46. Dr. Karen Gersch said she was a practicing cardiothoracic surgeon for 14 years in Charleston, not at MUSC. She was a resident for 11 years, and out of that time she wore a mask virtually the entire time. It seemed only intuitive that a surgeon wore a mask for obvious reasons. She worked at a hospital, now that was in a surge. She watched her nurses suffer, her respiratory therapists suffer as they took care of children, as they watched young adults die on ECMO, as they watched amputations, dialysis, and strokes of young people. As a mother, she asked for a mandate to allow her to keep her children safe until she could consent for them to have a vaccine. It was their choice to have a vaccine. She would continue to care for them if they hadn't, and she would be compassionate to them if they hadn't. She asked Council to be compassionate for her as a mother who wanted to protect her child until her child could be vaccinated.

There was applause.

47. Gina Holbrook thanked Councilmembers on the Commission and said hello to her community. She said it was an amazing time they were all in right now to be able to speak to Council in a public forum at this time as a woman, as a minority woman, and to come together with her community members of those that she didn't see eye-to-eye with, to talk to Council about how they felt, and what they thought was best for their community. She thanked the Councilmembers for being there and listening to all of their opinions. What a wonderful time they were in. She was in agreement with the Commission on the Critical Race Theory and recommendations from the report. Whoever said it was really long, it was 500 and some odd papers, the majority of them photographs and graphs. It was not long if anyone wanted to read it.
48. Dr. Julie Lynch-Sasson said she was a chiropractor, and she came to Charleston six years ago. Masks may or may not work. She couldn't say that the majority of her friends and herself, who were health care professionals, didn't take their masks off in between each patient. Her children couldn't. Her daughter came home with headaches. She was a chiropractor, so she could help her, but not everybody's parents had the choice or the ability to get adjusted when they had headaches. Their children needed to breathe freely. They needed to be able to choose their children's health care as parents.

There was applause.

Mayor Tecklenburg said, "Thank you."

49. Joel Sadler said he and his wife owned a retail store and coffee bar on Line Street. They spoke for themselves and their peers in the business community in support of the Commission's report and recommendations. In particular, in regard to their status as white business owners, they felt they lived within a City that had everything to thank for the black people that built it, that created the wealth that attracted tourists, the culture that everybody

indulged in, and it was their honor to operate a business in Charleston. They were thankful that the Council did the report, and in particular, he stated for the record they were in full support of the reparations component of it and would be thrilled for a portion of the money they paid to the City go towards reparations in particular.

There was applause.

50. James Paladino said he was a former senior firefighter and paramedic. He was not there to berate Council, so they could all take a deep breath. He wanted Council to know he was there for freedom, which was why he settled in Charleston by his family and friends. It was such a great place to be, but to be told they had to do something and to be told their child had to do something, it was not really the numbers. They all knew as parents standing at the same bus stop, in two weeks the kids would start tapping out because they all started passing around 'the crud.' It happened every year. It was no mystery. Then, three weeks later, the children would get sick again. He asked for Council to not push this issue, that COVID-19 overlooked the kids and would infect everyone else. They had plenty of stuff to shift around. He told Council not to get hogwashed into the numbers.

There was applause.

The Clerk said, "We also had some speakers signed up to speak online. These are our list of speakers who signed up to speak online. Bobby Baker, Tony Daniell, Anya Benitez. Bobby Baker, if you're on the line, if could press \*6."

51. Dr. Bobby Baker spoke on the Special Commission on Equity and Inclusion. He said he noticed a few action items of concern, especially the part that said, 'Examine Charleston Police Budget for potential reallocation and savings.' As they knew, the crime rate in Charleston was rising. Upper King Street had been closed late at night due to college students being sexually assaulted. He had a tourist two blocks from his house on Atlantic, that was held at gunpoint and robbed, and not to mention the poor husband of the Provost of the College of Charleston was murdered on Lower King Street last year. The last thing they needed was to cut any budget from the Police Department, and he hoped it wasn't part of the plan. He asked Council to reject the report for now, which should be brought to the Neighborhood Association.

There was applause.

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

Mr. Daniell spoke in person.

52. Tony Daniell said he was a direct descendent of Robert Daniell from Charleston. He knew that Ross Appel was corrupt and lacked moral character, but he was surprised at the Mayor. Ross Appel knew that he was getting ready to go before the Traffic and Tourism section about the illegal closures, which were still illegal, and he asked the neighborhood to write a bunch of letters, those guys that live on the golf course that don't want their public streets used by public school children. There were 50 people from 38 families who wrote letters. He told Councilmember Appel to do his math as it was not a majority, and when the Mayor got it he said, 'Good work. Case closed.' The case was not closed. It was still illegal. It still hadn't met Title 57 rules, and they kept people in traffic for 45 minutes a day. Traffic still clogged his

driveway illegally, still blocked the roads illegally, and something needed to be done about it. He said either vote to close the roads or open roads. There was no other option, and it had to be done in compliance with Title 57 in the best interests of all. They hadn't done that. He said to please open the roads.

The Clerk said, "Anya Benitez, if you're on the line, if you can press \*6. Anya Benitez."

No one asked to speak.

The Clerk said, "Katie Monoc. If you're on the line, if you could press \*6."

Ms. Monoc spoke in person.

53. Katie Monoc said she was an attorney, a business owner, and a mom to a rising kindergartner and a rising 3<sup>rd</sup> grader. They lived in Wagener Terrace, and they loved their public school. She said she was at the meeting because she wanted her boys and all of their kids to stay healthy and to stay in school, so that she could continue to work and their in-person education would not be disrupted this year. She echoed the physicians who had spoken and had been before Council many times. It was indisputable that they found themselves in a public health crisis. She urged Council to meet the urgency of the moment and to pass the mask ordinance. The Supreme Court ruling made clear what some of their local legislators had said all along that there was no mask ban. Universal mask mandates were lawful. While CCSD voted the previous night to implement the mask requirement, it was clear they couldn't go at it alone. An approach similar to Columbia was a reasonable one. They needed policy implemented and enforced to comply with APA, CDC, and DHEC guidance. Council had the ability to require and enforce masks in schools.

The Clerk said, "Anya Benitez. If you're on the line, if you could press \*6."

No one asked to speak.

Mayor Tecklenburg said, "Time. Thank you, Ms. Monoc."

The Clerk said, "Dr. Eliza Barty. If you're on the line, if you could press \*6. Dr. Eliza Barty."

No one asked to speak.

The Clerk said, "Liz Martin. If you're on the line, if you could press \*6. Liz Martin."

54. Liz Martin said while she was not a parent, she had some very strong opinions she wanted to share. She said it was a parent's job to feed, provide shelter for, and clothe their children. It was the school's job to educate their children. Parents and only parents had the right to decide what went in their child's bodies or on their faces. If the City was adamant about requiring masks in schools or face coverings, only a clear face shield would not cause further detriment to a child's ability to learn, socialize, and remain as clean and safe as possible. Masking their children would cause them more harm than good, and that sounded like child abuse to her. She said mouths were dirty, so to require face coverings should only happen if teachers were trained to help students implement proper sanitation measures, such as changing masks multiple times a day, especially following physical activity or sweating. She

said the teachers should stick to what her tax dollars paid them to do, which was teach. Their job was to educate the children about building strong immune systems.

There was applause.

Mayor Tecklenburg said, "Thank you, ma'am. Did we miss someone? Please come forward."

55. Ann Beachum said she heard media suppression of the known treatments, early treatments that cured COVID-19, suppression by the medical community for failing to administer the proper treatment that could cure those diseases, but heard no one that spoke up for the peer-reviewed studies of the American Frontline Doctors. They needed to listen to the other medical people. The folks in the hospitals were not listening, they refused to agree with the patients, who wanted other treatments, and refused lawyers who came forth on behalf of the patients to seek other treatments.

There was applause.

The Clerk said, "We did receive some comments from citizens. We had three people who said the City should remove Traffic and Transportation's recommendation #12, which advocated for the extension of I-526 from the draft City Plan. One person said that the government had no right to demand their child wear a mask, and it should be left to parents to decide what was best. Forty-four people suggested the City mandate masks in schools, and that mask wearing protected teachers and students. It was not a political issue, it is a critical public health issue. One person said that masks worked and people should wear them. Twenty-four people asked to implement a mask mandate for several months until children have the option to get vaccinated. Three people said to keep mask wearing optional. Two people said to mandate masks in public buildings. One person said cloth masks did not work against airborne diseases and that mask wearing should be kept optional. Two people said to vote 'no' on recommendations from the Equity, Inclusion, and Racial Conciliation Commission, and the proposed policies were discriminatory. One person supported the adoption of the proposed ordinance to create the new Commission on Equity, Inclusion, and Racial Conciliation. One person said the average wealth of white families was not \$919,000, and the median net worth was \$180,000. The numbers from the Economic Empowerment Subcommittee's recommendations were false and misleading. One person said that City Council and the Mayor refused to remove illegal roadblocks near Harborview School. Two people said the recommendations from the Equity, Inclusion, and Racial Conciliation Commission were Communist. One person asked that masks not be mandated in schools and that masks were medical devices, and it was illegal to force children without medical supervision. Those were all of the comments that we received."

Mayor Tecklenburg said, "Thank you, Madam Clerk. That would be the end of our Citizens' Participation Period tonight. Thank you all for coming out and sharing your thoughts and feelings with us. Next up is our [Petitions and Communications](#). We have a few appointments. First up, the Housing Authority of the City of Charleston, Ms. Kathy Nelson."

Councilmember Griffin said, "I'll make a motion that we approve Items 1a through 1d."

Councilwoman Jackson said, "I'll second."

Mayor Tecklenburg said, "I'm sorry I couldn't hear. Councilmember Griffin."

Councilmember Griffin said, "I'll make a motion that we take Item 1a through 1d all of the way through, and I recommend approval of 1a through 1d."

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

No one asked to speak.

On a motion of Councilmember Griffin, seconded by Councilwoman Jackson, City Council voted unanimously to approve the following appointments and reappointments:

a. Housing Authority of the City of Charleston:

Kathy Nelson – New Appointment

b. Carolina Art Association:

Councilmember Marie J. Delcioppo – New Appointment

c. Citizen Police Advisor Council:

Thuane Brockington Fielding – Councilmember Jason Sakran's selection

Camden Norris Shields – Councilmember Harry Griffin's selection

Max Milliken – Mayor's selection

Moya Yamaguchi (High School Senior) – Mayor's selection

Becca White (High School Senior) – Mayor's selection

d. Commission on the Arts:

Steve Simon – Reappointment

Kristin Alexander – Reappointment

Steve Rosenberg – Reappointment

Quintin Baxter – Reappointment

Cara Leepson – Reappointment

Tiffany Silverman – New Appointment

Mayor Tecklenburg said, "Thank you. Next, is [approval of a mediated settlement](#) that occurred, this morning. Julia Copeland is going to share that with us."

Julia Copeland said, "Good evening, Mayor and Council. The settlement proposal before you tonight, is a result of the mediation that took place this morning between the applicant and the City. It is regarding 40 Market Street and 2 Anson Street. These two properties received special

exceptions from the BZA back in 2016 and requested an extension of this vested right in May of this year. They missed the deadline, so both of those hands were tied in whether or not they could approve this. Per statute, the approval is automatic as long as the underlying law and the zoning ordinance land development regulations have not changed in a way that would preclude them from being developed. The Appellant's arguments are two-fold. The first one was based in law. They claim that they missed the deadline because our ordinance is unclear as to when you have to file for the extension. I do believe that is something we can correct via an amendment tool ordinance, as it is not clear as to when the applicant needs to apply for one of five annual extensions. The second one, of course, is based on equity, and that they claimed they missed the deadline of December 31<sup>st</sup> based on COVID-19 related delays and confusion. They applied for this extension the 1<sup>st</sup> of May. So, I have before you a settlement proposal wherein they will get the extension through December 31<sup>st</sup>, 2021, and in response they will ardently begin the submission for the preliminary review and approval with the BAR."

Councilmember Griffin said, "I move for approval."

Councilmember Seekings said, "Second."

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

No one asked to speak.

On a motion of Councilmember Griffin, seconded by Councilmember Seekings, City Council voted unanimously to approve the mediated settlement between City of Charleston and 2 Anson Street, LLC and 40-46 Market Street, LLC related to Board of Zoning Appeal denial of vested rights extension.

Councilmember Waring said, "Mr. Mayor. Can we take a ten-minute break?"

Councilmember Mitchell said, "Second."

Mayor Tecklenburg said, "We have a request to take a ten-minute break. Since we've been here for three hours, I think that's appropriate. We're going to recess for ten minutes and be right back. Thank you."

City Council recessed at 7:57 p.m.

City Council reconvened at 8:12 p.m.

Mayor Tecklenburg said, "Thank you all for your patience. I appreciate you sticking with us. Next on the agenda is [a report from the Special Commission on Equity, Inclusion, and Racial Conciliation](#). Before Amber Johnson gives a report, I would like to just thank everyone who was involved in this effort over the last year. The Commissioners, some of which, I believe, are here tonight, Alvin Johnson, Dr. Kimberly Butler Willis, Dr. Felice Knight, Tracy Doran, Daron Lee Calhoun, Crystal Robinson Rouse, and a number of our Councilmembers. Amber, please help me if I've left anybody out. Jerome Harris. There were over 40 other members of the subcommittees that spent countless hours over the last year discussing what's coming before you this evening, and we just want to thank them again for their efforts and all the time and effort they

put into it. Without further ado, I'd also thank our own staff member, Amber Johnson, who, from a staff point of view, led this effort. I believe she's done a terrific job. Amber, take it away."

Amber Johnson said, "Thank you. Good evening, members of Council and Mayor. I'd like to thank you for the opportunity to present this report from the Special Commission on Equity, Inclusion, and Racial Conciliation. This group has been very thoughtful and intentional about the work. These conversations have been difficult, but I've seen so much growth from those that have been willing to lean into that uncomfortable space. This report includes a list of key terms, but I've pulled out a few that I thought were important for us tonight. I'd also like to note that a workshop is being arranged for Councilmembers to help ground us all in the work and to give us a foundation for this work. I'd like to begin by distinguishing between equity and equality.

Equity is the step before equality. Equality indicates sameness and fairness, whereas equity is about meeting people where they are and providing them with opportunity and their needs. Racial equity is the condition where one's racial identity no longer has an influence on how one fares in society. Equity is a process and an outcome. As an outcome, achieving racial equity would mean living in a world where race is no longer a factor in the distribution of opportunity. As a process, we apply racial equity when those most impacted by the structural racial inequalities are meaningfully involved in the creation and implementation of the institutional policies and practices that impact their lives. Inclusion is not just about welcoming people and inviting people in, but it's about making them feel welcome, respected, and supported, and like their opinion is fully valued.

Many have asked us why we use the term racial conciliation instead of reconciliation. Reconciliation is to restore a connection, not create a new connection. Conciliation is a dispute resolution process. It is an action of mediating between two disputing people or groups. When we discuss racial conciliation in this setting, we're not discussing restoring a connection but attempting to create a new connection.

Reparations: Reparations serve to acknowledge the legal obligation of a state, individual, or group to repair the consequences of violations, either because it directly committed them, or it failed to prevent them. It is important to remember that financial compensation, or the payment of money, is not the only form of reparations. Other types include restoring civil and political rights, erasing unfair criminal convictions, physical rehabilitation, and granting access to land, health care, or education.

Why we lead with race: We lead with race because racial inequities persist across every system. We can't find an example of a system where there are no racial disparities and outcomes. We see it in health care, local government, criminal justice, and housing. It's baked into the creation and ongoing policies. We lead with race because when you look at other dimensions of identity, such as gender, sexuality, and education ability, there are inequities there based on race, so knowing this helps us take a more intersectional approach while also naming the role that race plays in people's experiences and outcomes.

On June 20<sup>th</sup>, this Council created the Special Commission on Equity, Inclusion, and Racial Conciliation. We took a considerable amount of time thinking about who we should include in this effort. We were able to assemble some of the best and brightest from across the City to help us with this. Not only subject matter experts, but also people who understand racial equity and what that looks like in changing policy. This has been a massive undertaking, but we're grateful for those who volunteered their time and their expertise. We had 6 Councilmembers, 7

Committee Chairs with 5-7 people total on their Committees for a total of over 49 volunteers, and each subcommittee was staffed with City staff from across different departments. This list of names is included in the report. I'd also like to submit it to the Clerk to highlight those people, and I'd also like to just acknowledge those who are here tonight. Just wave your hand.

Using the Avery Research Center's report entitled The State of Racial Disparities in Charleston County, we developed the focus areas for the subcommittees. The different areas included criminal justice, economic empowerment, health disparities and environmental justice, history and culture, housing and mobility, internal review, and youth and education. Since September of 2020, the subcommittees have conducted over 68 meetings. The Commission has met more than 15 times. This group was charged with making the City's apology for slavery and Jim Crow more than just a promise, but a commitment to dismantling systemic racism. They were asked to challenge us as an organization and present us with out-of-the-box recommendations that will challenge the status quo. The seven committees have prepared recommendations and strategies in each of these areas. I would like to highlight a few of their long-term goals.

Criminal Justice Reform: reimagine Police services with the goal of building trust with the community and the Police Department. Economic Empowerment: reduce the Black income poverty rate by 10% in 10 years and increase Black assets by 20% over the next 20 years. Health Disparities and Environmental Justice, improve the life expectancy of minority and underserved communities by implementing policies and programs that consider the social determinant of health, giving all citizens the opportunity to reach and enjoy optimal health. History and Culture: increase public awareness and public representation of the histories and cultures of local BIPOC individuals and communities by creating a board of public art review. Housing and Mobility: provide support for owners of heirs' property, and help families build generational wealth. Internal Review: implement a cultural and systemic shift within the City so more City employees will be able to recognize, evaluate, and set forth goals and benchmarks to make their departments racially equitable. Youth and Education: develop a more robust programmatic partnership with Charleston County School District to help advance racial equity in local schools.

These recommendations and strategies will be distributed to the appropriate standing committees after tonight if this Council decides to receive this report as information. The co-chairs and I have divided these recommendations by Committee, and I have them available. We hope to be able to distribute them to the standing committees and the appropriate other Committees after we've had discussions with the Committee Chairs. Implementation of these recommendations would require coordination with the standing committees, our current Special Commission Committee Chairs, the Co-Chairs of the Special Commission, and myself to ensure that we keep this process moving forward. The City has made a formal apology for slavery, but the best apology is changed behavior. The recommendations are the first step in creating that change. The work is not the responsibility of one person, one Mayor, or one City Council. It will take all of us to embed this work into the fabric of the organization. Thank you for your time and the opportunity to create a report with the recommendations to help the City advance racial equity."

Mayor Tecklenburg said, "Thank you very much. Any questions for Ms. Johnson? I would like to offer just a moment of perspective of my own as to how we got here tonight. This City, last year, celebrated its 350<sup>th</sup> birthday. We didn't have much of a party because of COVID-19, but it was our 350<sup>th</sup> birthday. Just a few years ago, as Amber mentioned, this City approved an apology not for what anybody did individually, but what this City government did as an institution, prior to 1865, to directly administer the institution of slavery in this City and in the Lowcountry. So, we

apologize for what the City did. I'm not going to go through all those things tonight, but there was some really horrible stuff that this City did. We resolve to continue to do something about those inequities that were created.

So about the same time, there was a report, very well documented, by the Avery Institute at the College of Charleston that outlined true, real inequities that exist in our City, our society, in the world really, if you look at it that way. As a City, we did proceed with certain actions, such as a racial bias audit of our Police Department and began the process of making recommendations just on that study alone. We, as a City, have continued to support, and next year will open, an amazing facility, the Museum of International African-American History. So, we're on this journey together, the way I look at it. Notably, a little over a year ago up in Minneapolis, there was a murder of an African-American man, George Floyd, and it once again ripped off the scab of racism and raised not just local, not just national, but I would say global awareness of racism and inequities in our world. So, that led to the formation of the Commission.

Again, I thank the Commissioners for their hard and diligent work. They were asked to consider anything under the sun that might be helpful in addressing racial inequities. We respect their work and thank them for their work. We are on a journey. This is not a destination we reach here tonight. Tonight we receive these recommendations. Apparently, there were a lot of people here earlier tonight making comments and in the media and probably on social media thinking that this body approved every single recommendation that this Commission is making to us tonight. That's not necessarily the case, but we commit to looking and considering each and every one of those recommendations, some of which are not even in our purview, but many of them are. We will commit to, and by way of forming a new iteration, if you will, of this Commission, continue this work. It doesn't end tonight. Even if you approved every recommendation, you wouldn't end racism in the world. This is a journey we're on, folks. I view it that way to try to build respect for our brothers and sisters, all of God's children, on this planet. So, that being said, I would like to call on our Co-Chairmen of the Commission. I didn't actually serve on it personally, although I attended a few of the meetings. Our Co-Chairs of the Commission were Councilmembers Dudley Gregorie and Jason Sakran, and I'd like to call on each of them to make a few remarks."

Councilmember Gregorie said, "Mr. Mayor, I appreciate your receiving this report. I appreciate your leadership, but I do think that this Council has a responsibility to go even further. What I mean by that is you may not be here tomorrow. You can receive it, but if this has not given specific instructions on what to do with it, it would be all for naught. So, for me, it's very, very important that this Council sends the message while we're not accepting, adopting, we are, however, wanting to be able to send this to the appropriate standing committee or committees for consideration to move forward with any recommendations they may glean from the report that the body as a whole should review. Mayor, I'd like to offer a motion so we can solidify this because just simply receiving it is not enough."

Councilmember Brady said, "Point of order."

Councilmember Gregorie said, "Yes."

Councilmember Brady said, "Under the rules of procedure that we've adopted, which is Robert's Rules, as amended, and voted on by Council that we have adopted, when a report that requires no action is received by the body when it is presented, it is deemed to have been received. The presiding officer can direct that it go to committees as such."

Councilmember Gregorie said, "Where we differ is it does require action. That's the difference. This report requires action. This is not just a report that is being received for information. It requires action, so that kind of negates what you just said. I mean, what I'm doing here is clearly understanding that what we're about to undertake is multi-generational. It is not going to happen in six months, a year, or even more. We instructed the Commission to think outside the box and to be very intentional with their work. I think it would be a disservice to the Commission if this body doesn't do more than just receiving the report. This Council should provide instructions so that if the Mayor is not here or any of us are not here, the Council has moved this forward with a charge for the committees to undertake. I'd like to offer a motion, Mayor."

Councilmember Brady said, "As a point of order, that motion would be out of order, and I would ask the Mayor to rule on that because of the rules of procedures that have been adopted by Council."

Mayor Tecklenburg said, "A motion has not been made yet. I would like to point out that, Councilmember Gregorie, that we do have next on the agenda an ordinance creating a new Commission, a new iteration, as I mentioned, and that does give the marching orders, as it were, that you're asking for. I would respectfully say that I think we could have a concurrence. I'm receiving the report, I'm putting it to committee as appropriate, as we've discussed, as the Commission has discussed in addition, and also we have on the agenda an ordinance making those corrections as to purpose, duties, and responsibility of the new iteration of the Commission going forward."

Councilmember Gregorie said, "I understand that clearly, and maybe it is a point of order, I'm not a parliamentarian, but I think you just said that if we receive something that does not require action, and I'm saying to you that it does require action. It does require action. It's not going to just sit as information."

Mayor Tecklenburg said, "Well if you want to make a motion, I'll rule on the point of order."

Councilmember Gregorie said, "I move that Council formally receive the report from the Special Commission for the purpose of charging the standing committee or committees with reviewing the recommendations therein, in conjunction with the Commission, and once completed provide to the full Council their conclusions and recommendations. That's my motion."

Councilmember Mitchell said, "I'll second it."

Mayor Tecklenburg said, "I'll rule that I will accept the motion because, honestly, that is what I was intending to do as Mayor."

Councilmember Brady said, "I respectfully appeal the decision of the Chair."

Mayor Tecklenburg said, "Any further questions or discussion?"

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, "Yes, sir. Thank you, Mr. Mayor. I remember that meeting quite well when we apologized for slavery, and it was probably the most disappointing meeting

because of the way that it got out of control, only to be topped by this meeting tonight. I'm just totally embarrassed at how out of control things got tonight. It's obvious that we need to do a better job of bringing people together because here we are three years later, and we're worse off today than we were at that meeting. I'm thankful for all of the hard work that the Commission members put in over this past year. They worked for free. They put in so many hours. I'm really thankful for all of the hard work and goodwill that they brought forth. I'm disappointed that they didn't have, I think, the direction that a normal Commission would. They were basically told that they could come up with any recommendation they thought was right, and it now is presented to us as a final report. You just said that we're going to try to implement, at least look at, every single one of those recommendations. One of the recommendations was to allocate \$100 million for reparations. How on earth are we going to pay for that, Mr. Mayor? Why are we going to support Critical Race Theory? Why are we going to support the 1619 Project? Why are we going to tell people that we're going to accept a livable, whatever the terminology is, a livable working wage of \$16.41 when we can't even pay our employees \$15.00/hour? I'm disappointed that we are going to accept a report that we are not prepared for. We are going to give the Commission that worked for a year some sort of hope that we're going to somehow come up with some of these things that just are not a reality. You have said so yourself dozens of times that you would never defund the Police, yet reallocating Police funds is one of the recommendations. So, tell me, Mr. Mayor, how on earth are we going to accept this report and try to work towards every one of the 125 recommendations? I just don't understand how we can say that we're going to do that when we've all been on record saying that we would never defund the Police? That is where I'm concerned. Accepting a report and taking a vote is accepting that we agree with that. There are many, many things in that report that I do not agree with, and I will never agree with. Thank you."

Councilmember Gregorie said, "Mr. Mayor?"

Mayor Tecklenburg said, "I understand, and I appreciate your comments. The motion was that we would receive the report. It never indicates that we would approve every single recommendation. You know, in addition to those recommendations that you mentioned, it also recommends creating new funding sources to support affordable housing, optimize Charleston Housing Authority's repositioning strategy of public housing, ensure the Lowcountry LowLine is equitable and inclusive, improve mixed-use workforce housing and our fee in-lieu system, provide support for owners of heirs' property and help families build generational wealth, increase the number of high-quality, subsidized health care providers in Charleston, sponsor consistent and sustainable vaccination, prioritize flood mitigation strategies that address racial equity and environmental justice, address climate change inequities, so there are many recommendations, some of which we have already taken action upon, like the formation of a minority business incubator. We've taken that recommendation, and Council has already approved some funding for the creation of that incubator. I hear you loud and clear. That's why I prefaced my remarks. I believe that's why Councilmember Gregorie's motion is that we receive the report and disseminate it to the appropriate Council committees and other appropriate Committees for further review and recommendation back to this Council. So, there's not a single recommendation here that we are approving tonight, and when they come back to us, one at a time, we will have recommendations to approve some of them, and we can take action at that time. This is just part of a process. We are part of a journey, as I tried to describe, that we are embarking upon. Councilmember Sakran, I'm sorry I didn't get to you, the other Co-Chair."

Councilmember Sakran said, "Thank you, Mayor. It's been a long night, so if you can just bear with me for a few moments. I was going to not say much, but I do want to just say to Councilmember Griffin's point about this evening and what transpired. It is sad that we can't have

a civil conversation, whether you're mask or not mask or whether you're talking about the commission report. I would urge all of us to pay attention, read it before you pass judgment on terms you do not understand. Read it. I want to personally thank the Mayor for asking me to co-chair the Commission. I would be remiss if I didn't say, as the white co-chair on this Special Commission, I think it's important to acknowledge that conversations around race and equity are not easy and they are not comfortable, and I felt very uncomfortable many times, and that's okay. I also want to acknowledge that the work allowed me to wrestle with some of my own stereotypes and misconceptions, and subtle biases. Throughout the process and because of the nature of the work, I've felt humbled, I've felt honored, I've felt confused, I've felt uncomfortable, I was upset and dismayed. Yeah, I even felt angry at times, just like us tonight. In the midst of everything, tonight I feel proud, and I feel hopeful that we are at this point in Charleston's history to have this discussion and push this on to standing committees. The Mayor's right. We are not deciding anything this evening. We're simply acknowledging the hard work of our volunteers and the tireless effort that they've put in this year. I just want to thank Co-Chair Gregorie. His wisdom was critical, and his fire and his passion are still evident even after and from 2018 with the apology of slavery. I want to acknowledge Amber Johnson's tireless work. We wouldn't be at this point this evening without her work so, Amber, thank you for your leadership. The naysayers and the doubters, we kept our head down and we got the work done, so thank you, Amber."

Mayor Tecklenburg said, "I'd like to recognize our Attorney, Wilbur Johnson."

Mr. Johnson said, "Mr. Mayor and Council, just a parliamentary procedural point, I think that needs to be made. There was a point of order raised. The Mayor effectively overruled that point of order. The Mayor's ruling was appealed, so at this point parliamentary procedure would require that the Council vote on the appeal that has been made as to the point of order that the Mayor overruled."

Mayor Tecklenburg said, "Thank you. I appreciate that."

Councilmember Sakran said, "Can I finish my comments later?"

Mayor Tecklenburg said, "There is an appeal to my ruling not to accept the motion, which I have. I guess to settle the appeal we would have a vote amongst Councilmembers whether you want to accept the motion or not. Would that suffice?"

Mr. Johnson said, "The appeal would be whether or not the point of order is valid. The Mayor has said that the point of order, you've overruled the point of order and allowed the discussion to go forward on the adoption of the motion. The point of order was to not have the motion adopted, so the Mayor has ruled that the point of order should be overruled, according to the Mayor's ruling. That ruling, the Mayor's ruling, was appealed, so now Council has to vote, or should vote, as to whether or not the appeal should be upheld. If the appeal is not upheld, then presumably the motion goes forward."

Mayor Tecklenburg said, "So we have a matter to honor the appeal or not. So if you vote yes, that means you don't want to consider the motion. If you vote no, you agree to consider the motion."

Mr. Johnson said, "Correct."

Mayor Tecklenburg said, "Any discussion on the matter before us?"

Mayor Tecklenburg recognized Councilmember Appel.

Councilmember Appel said, "Thank you, Mr. Mayor. I had the privilege and honor of serving on this Committee for a short period of time. I want to say what I said, and I forget if it was last week or the week before, that I respect this effort. I respect this work. This is important work. This is courageous work to undertake in a City like this, and I want to see this work continue. You all have heard me speak about what we can do around things like land use, zoning, and affordable housing. The legacy of racism in these institutions is clear as day. Those are the things that we can work on as a Council through our various Committees and Commissions to make meaningful progress. There's nothing stopping us from getting to work on that tomorrow.

As we saw here today, the public in this Country right now is extremely charged. People are losing their minds. That's my take on it. I want this work to succeed. If we vote on accepting a report that includes things along the lines that Councilmember Griffin has mentioned, defunding the Police and \$100 million reparations fund, that is going to send half this City up the wall. That is going to make this work harder. I remain committed to this work. I want to see the City of Charleston become a national leader on race and equity issues on things like affordable housing, etc. The list goes on and on. The Mayor's noted several things that the City's doing already. We're in the parliamentary procedure portion of this meeting. This meeting has had a little bit for everybody. I mean, if you're into parliamentary procedure, we've got you. If you're into what we heard earlier, we've got something for you there.

My question is this, what does this vote do other than what would be accomplished if the report is simply received and sent to the Committees? This report is already in front of every committee. Every single Committee Chair, whether it's the Public Works and Utilities Committee, whether it's the Community Development Committee, you can pick this report up and run with it yesterday. I think if we vote on this report, you can call it accepting it, and you can call it receiving it, whatever the case may be. I think that in this information age that we're living in, at a time when it's been harder than ever to have reasonable, candid, honest conversations with people, when you have people in the community intentionally trying to mislead, trying to scare, trying to distort, trying to get people tearing other's necks out, it will do damage to this effort, right? I don't think the public is going to understand the difference between receiving a report and accepting everything in it. I understand the difference between them. I think this work will be made more complicated if everyone on this Council is forced to take a vote on this issue. We don't need more division in this City right now. We have a wonderful report. I don't agree with everything in it. I agree with a lot of what's in it. So my question is this, I'm sorry I've spoken for a little longer than I anticipated. The way I understand the rules, the report has already been received, and it's already before all the commission and the committees. I don't understand what this vote does. We don't take idle votes. We don't vote just in the abstract. Someone explain to me what this vote does versus what we've already done to have the report received. Thank you."

Mayor Tecklenburg said, "Thank you. Councilmember Sakran, did you not finish yet? Or do you want to respond to that as a Co-Chairman?"

Councilmember Sakran said, "I did not get a chance to finish, but I'm going to defer my time. I may add to the conversation, but I know Councilmember Gregorie had his hand up."

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Gregorie said, "I'll try to answer the question 'what does it add to vote on it?' What it adds is institutionalizing the process. If the administration changes or anyone on this body changes, that could be removed with the stroke of a pen. So, for me, why it's important that Council votes on it and gives specific instructions is because it institutionalizes it. Suppose the Mayor is not here in a year or two or three or four or five or six or seven or eight, or whenever, another Mayor may not have the same passion for this effort. If it's something that's been passed and instructed by Council, then it's institutionalized. That's the difference. To respond to Councilmember Appel, that's the difference."

Mayor Tecklenburg said, "Thank you."

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, "Yes, sir. I was going to say a couple of other things, but for right now, can we ask our legal counsel to advise us? Is that motion that Councilmember Gregorie is putting ahead of us, and we have to vote now on the appeal that basically preceeds it or overlies it? Is that correct that if we don't take such a vote to institutionalize our reception of the full report in order to send it out for deliberation and evaluation, a long season of work and community engagement, can that basically end with the change of particular Council Committee Chair people or the Mayor himself? What guarantee do we have if we don't have a vote like Councilmember Gregorie is suggesting?"

Mr. Johnson said, "I don't know, Councilwoman, that there is a guarantee. Even if Council was to vote to receive the report this evening, which is what's on the agenda, which is the motion, that would at some future time preclude a different Council or a different Mayor from revisiting that decision. Now, as a practical matter, the report is already before Council, and I think Councilmember Appel is correct that Council has the report. Voting to receive the report sort of, in my view, codifies, if you will, or symbolically recognizes what is already before Council. It's a statement, it seems to me, that what Council intends to do is to receive the report, refer it to the committees for further study and perhaps recommendations, which Council already can do. It's a statement of Council's intention. That's what, I believe, the motion amounts to."

Councilwoman Jackson said, "Thank you, sir. I do have one final thought or two. I really appreciate where you're coming from, Councilmember Appel, in terms of making the work be the priority. That's been my goal all along. I have been privileged to be more of an observer than a participant of the brilliance, honesty, passion and the originality, and the resolve that our Committee volunteers, under the leadership of the seven Chairmen, have exemplified and produced for us. I think, as a body, we are privileged to be in receipt of their hard work.

I don't want that work to get balled up over by the sentiments of the kinds of comments that we heard tonight or what I understand is going around on social media that I don't read. But on the other hand, I did have emails today, as I'm sure a lot of us did, and when I wrote back the truth about what we were doing tonight was receiving the full report out of respect and honor for the work effort that has been done for the last year, then it's going to be immediately forwarded to the appropriate Committees and Commissions and outside experts again for the deliberation and evaluation, and the hard work that we're going to have to do as leaders to make something out of this. So, I heard back from several of the people who said, 'well, thank you for explaining it that way. I don't really know if I still agree with the outcomes of what the Commission is recommending to you, but I understand that you're not adopting anything tonight, you're not

making any decisions that I can't be part of as a voting citizen or an engaged person of the community.'

Part of the recommendations to us is to engage the community. We would never consider making these sorts of major paradigm shifts to our society without engaging the community, so I've been thinking about what comes next as more like our own process for the City Plan that went on for a year and a half. We never made a step without putting together the focus groups and announcing that community members were invited to look at a particular chapter that was being fleshed out and give us their comments. I really do think that we have a community of people. If they care enough to really weigh-in on this, they'll be able to understand the distinctions. I do want to be part of that statement because it's a sign of our respect and our honor for the people that have respected us enough to do the work as volunteers. Hours and hours and hours and brain cells that they will probably never get back again having used them up on our behalf. I do want to join Councilmember Gregorie's motion in the affirmative, and I'm ready to vote on the appeal. Thank you."

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

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, "I think we're debating the merits of the motion before we vote on the appeal, and I think that's improper under the rules. I think we need to vote on this appeal, and then if you want to debate the motion, we will debate the motion."

Mayor Tecklenburg said, "Alright. Any other comments or questions about the appeal?"

No one asked to speak.

Mayor Tecklenburg said, "Okay, I'm going to call the question on the appeal. If you vote 'yes,' that means we're not going to consider the motion. If you vote 'no,' it means we are going to consider the motion, correct?"

City Council voted on Councilmember Brady's appeal of Mayor Tecklenburg's ruling on his point of order.

The appeal failed.

The vote was not unanimous. Councilmembers Delcioppo, Shealy, Brady, Seekings, Shahid, and Appel voted in favor of the appeal. The appeal failed 7 to 6.

Mayor Tecklenburg said, "I would rule the 'ayes' have it. I'm happy to ask the Clerk to give a roll call vote."

The Clerk said, "Councilwoman Delcioppo."

Councilwoman Delcioppo said, "Yes."

The Clerk said, "Councilmember Shealy."

Councilmember Shealy said, "Aye."

The Clerk said, "Councilmember Sakran."

Councilmember Sakran said, "No."

The Clerk said, "Councilmember Mitchell."

Councilmember Mitchell said, "Nay."

The Clerk said, "Councilmember Brady."

Councilmember Brady said, "Yes."

The Clerk said, "Councilmember Gregorie."

Councilmember Gregorie said, "Nay."

The Clerk said, "Councilmember Waring."

Councilmember Waring said, "Nay."

The Clerk said, "Councilmember Seekings."

Councilmember Seekings said, "Aye."

The Clerk said, "Councilmember Shahid."

Councilmember Shahid said, "Yes."

The Clerk said, "Councilmember Griffin."

Councilmember Griffin said, "Nay."

The Clerk said, "Councilmember Appel."

Councilmember Appel said, "Aye."

The Clerk said, "Councilwoman Jackson."

Councilwoman Jackson said, "Nay."

The Clerk said, "Mayor Tecklenburg."

Mayor Tecklenburg said, "No."

The Clerk said, "We had seven 'no's.'"

Mayor Tecklenburg said, "We had seven 'no's.' The appeal failed. So, now we can consider the motion that's on the floor, which is to receive. There is a distinction not to accept, but to receive

the report and to refer it to the appropriate Committees for further consideration. Any further comments or questions?”

No one asked to speak.

On a motion of Councilmember Gregorie, seconded by Councilmember Mitchell, City Council voted to receive the report from the Special Commission on Equity, Inclusion, and Racial Conciliation.

The motion failed 7 to 6.

The vote was not unanimous. Councilmembers Sakran, Mitchell, Gregorie, Waring, Jackson, and Mayor Tecklenburg voted in favor of the motion. The motion failed 7 to 6.

Mayor Tecklenburg said, “We’ll do another roll call.”

The Clerk said, “Councilwoman Delcioppo.”

Councilwoman Delcioppo said, “Nay.”

The Clerk said, “Councilmember Shealy.”

Councilmember Shealy said, “Nay.”

The Clerk said, “Councilmember Sakran.”

Councilmember Sakran said, “Yes.”

The Clerk said, “Councilmember Mitchell.”

Councilmember Mitchell said, “Aye.”

The Clerk said, “Councilmember Brady.”

Councilmember Brady said, “Nay.”

The Clerk said, “Councilmember Gregorie.”

Councilmember Gregorie said, “Aye.”

The Clerk said, “Councilmember Waring.”

Councilmember Waring said, “Aye.”

The Clerk said, “Councilmember Seekings.”

Councilmember Seekings said, “Nay.”

The Clerk said, “Councilmember Shahid.”

Councilmember Shahid said, "Nay."

The Clerk said, "Councilmember Griffin."

Councilmember Griffin said, "Nay."

The Clerk said, "Councilmember Appel."

Councilmember Appel said, "Nay."

The Clerk said, "Councilwoman Jackson."

Councilwoman Jackson said, "Aye."

The Clerk said, "Mayor Tecklenburg."

Mayor Tecklenburg said, "Yes."

The Clerk said, "The motion fails."

Mayor Tecklenburg said, "The motion fails. The Mayor receives your report, and I will direct it to the appropriate committees for their review. Next on the agenda is [an ordinance to form a new iteration of the Commission on Equity, Inclusion, and Racial Conciliation](#). Can I entertain a motion?"

Councilwoman Delcioppo said, "Move for approval."

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

Councilmember Mitchell said, "Second."

Mayor Tecklenburg said, "Any discussion?"

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, "I'm all in favor of supporting this commission as it moves forward, but I want to know what that Commission is going to be pushing for because I listened to the final meeting of the Commission. There was a lot of talk about if we're not going to do it the whole way, then we're not going to do it at all, and we'll do it our way. I'm just wondering whether or not we're going to be able to find people who are willing to compromise and work together as a City and say, 'You know what? We don't need to be shooting for the stars and throwing everything out there at the same time, even if it does make sense.' Let's see if we can find people who are going to come together and look at all of those recommendations like you said, Mr. Mayor, that we're already doing that are low-hanging fruit. Start going after those issues and not get stuck on \$100 million in reparations or reallocating from our Police budget. Those kinds of things are going to be a distraction, and it's just going to supercharge this crowd like it was tonight. I don't want to see that moving forward. What is going to be, especially now that we have some dissension about how we're moving forward and some of the terminology in here, what is this commission going to look like? What is it going to be tasked with doing now that we've got a Council that's questioning some of the terminology?"

Mayor Tecklenburg said, "Well, the ordinance is pretty clear as to the purpose of the commission: to prioritize racial equity, and it will work with the City government and partner with outside agencies in an effort to encourage and ensure diversity, fairness, equity, and inclusion throughout the City. In furtherance thereof, the commission should identify and assist in addressing all forms of institutional and community discrimination through education, advocacy, and policy recommendations. That's the purpose of the commission."

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Gregorie said, "You know, Mayor, it's unfortunate that we have Councilmembers that are talking about things that are not true. With all due respect, Councilmember Griffin, you're now perpetuating it because the Commission's report is just recommendations for discussion. You're acting as though they've been adopted. You're the one now pushing false information, Councilmember Griffin, for the record."

Mayor Tecklenburg recognized Councilmember Mitchell.

Councilmember Mitchell said, "I wasn't going to say anything, but I wish that some of the people who were here making all the noise talking and throwing these things up at us were still here. I think I'm the only person sitting on this Council right now that has been through what they call racial discrimination. Even back when I was growing up, I think I'm the only one beside Councilmember Waring that was out there. I got locked up 25 times for trying to make a difference in the City of Charleston. They talked about how there's no racism here. There is racism here in the City of Charleston. It's more so now than ever. If you come in the district I represent, you'll see it. I see it every doggone day, and it's sickening because I grew up here. I've been involved in the Civil Rights Movement ever since I was 14 years old, and I'm still trying to make a difference, bringing people together. People are not going to agree on everything, but they need to work together to make the place a better place to live.

I think I'm the oldest one sitting on this Council right now, except for Councilmember Gregorie, and I have seen the change. We have ordinances that we've put in place, and sometimes if we don't act on certain things, they'll sit on a desk or in a drawer, and we'll never get to it. We're sitting on this Council debating something that will make Charleston a better place for everyone to live. I can take the beating. I get beat up every day, but I can take it because I'm trying to make a difference. Come to the district where I live. Come to the Eastside where I go every day, and see what's happening. I'm tired of seeing my colleagues sitting up here throwing bricks at this one. We are up here to represent everyone who lives in the City of Charleston and make the best decision that we possibly can.

I have a very diverse district. I'm out on the streets at 1:00 a.m. or 2:00 a.m. None of my colleagues can say they're out on the street at 2:00 a.m. I know what's going on in the streets because I figure that I'm a servant, and I should do those types of things. That's me. I'm not asking anyone else to do it, but that's what I do in my district. Most of my colleagues here don't have to do that because they don't have the elements that I have. It's getting to be sickening the things I hear on this Council and from other colleagues. I think we need to change this kind of attitude. Thank you."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "Thank you, Mr. Mayor. I'm going to ask all my colleagues to take a deep breath and count to ten. We're all better than some of what we're illustrating right now. This Council and this Mayor are probably right now doing more for affordable housing than any municipality in the State of South Carolina. It is this Council that supported a previous Council, along with the Mayor's support, the passage of a Racial Bias Audit of our Police Department on racial bias in policing. That sounds like a small thing now, 'oh, we did that two years ago.' In February, I asked our Chief of Police, and he didn't know the question was coming, I asked him in a previous five year period, if the City of Charleston had over 130,000 pretext stops. In the Black community, that's known as driving while Black. You get stopped for nothing. You get harassed. The Chief thanked me for that question, and he said, 'Councilmember, I'm proud to report that we don't police like that anymore.' It was this Mayor, this Council, and the previous Council that put that in place.

I would say that we've been doing some of the good works that this committee says we need to expand upon. Councilmember Gregorie is right. We're not adopting the report. We're accepting the report. The Mayor is right. Assigning it to the committees is where the action takes place on Council. A point of order is not going to remove that. Defunding the Police is not new. That was in front of us in the last budget. What happened? The Police budget was voted on unanimously. One of the reasons for that is some of the requests that we've talked about. The incubator that the Mayor referred to, we didn't have to defund the Police to do that. There are methods that we all know. There's a Mayor and 12 members of Council that if somebody comes up with a good idea, and even if they suggest where the money is coming from if it's a good idea, we do the elbow work to get the money appropriated to implement it. That's what Councilmember Gregorie is talking about. That's what the Mayor is talking about, assigning it to the committees, not assigning it to committees with a directive that you must have reparations for \$100 million. We all know that, and that's what Councilmember Mitchell is talking about. Some of it's pontification, and some of it's emotional. We know better than that because when you get into small groups in those committees, that's where the action happens in City Council, and it's reported up to the body because the body feels it's been properly vetted, and if it feels it hasn't been properly vetted, it takes on a little more vetting. Those standing committees are public processes. You're not locked away from the process. This is going to be a public process going forward with information continuously, not only from a commission, but from the public at large. You know what? That's how we get some of our best ideas. When we had a task force for short term rentals, what did we do? We accepted their report. That's exactly what we did. When we had the task force on whether the bars should be open 24 hours or not, they had our pictures up on the wall. 'Councilmember who voted to close bars at 2:00 a.m.' We were the 7, 8, or 10 most wanted. The community has a right to go to bed at night. That's what we get paid the big dollars for, to make the hard decisions in the committee. So all of us, frankly, all the comments that were made, you're right. Also know that we're much better when we get into the work of the committees. That's where the hard work is done, being an elected member of Council to represent the people that sent you here. Thank you, Mr. Mayor. Please let us send this, as you said, to let the standing committees continue the process and do the good work that we've done in the past. Thank you."

Mayor Tecklenburg said, "Thank you. What's on the floor right now is the creation of the new iteration of the commission. Any further comments or questions about that?"

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "You all have heard me on numerous occasions when it's my opportunity to provide an invocation that I ask that we are a people of goodwill and that we do

the will of God and the will of the people of Charleston. In my 6 years on this Council, I've never felt as physically ill as I do right now. What I witnessed tonight was the exact opposite of what I asked God to give us: goodwill. I saw my community come into this room and do everything in their power to tear us apart. On numerous occasions, the Mayor asked the body of folks who were here to respect one another, to allow people to talk, to respect the time limit, to not jeer and cheer and hold up signs, to not ridicule another person when they spoke, and we saw all of that tonight. Quite frankly, that left a pit in my stomach that I can't get rid of right now because we did the opposite of goodwill.

When the Mayor made reference to the 350 Commission, it came about when I was a guest speaker at the West Ashley, James Island business meeting, and quite frankly, came about a comment that my predecessor, Aubry Alexander, made about something, and it triggered in my mind, this is the 350<sup>th</sup> Anniversary of the City of Charleston. We put together a Commission. It wasn't to celebrate the 350 years of Charleston. It was to commemorate the 350 years of Charleston. Part of that mission statement was to do an in-depth examination of who we are as a City and where we came from as a City to bring us into 2020. Part of that discussion was painful, even though we didn't implement some of the plans we had for that. The process of doing that was painful. I thought I knew a lot about Charleston, but sitting around a diverse group of people, I learned a lot as to some of the things we did against our fellow human beings. I was so looking forward to the events that we had planned because I thought that was an opportunity in a very peaceful manner to celebrate our diversity, to recognize the harm we did to one another over time, and to come together as a City to propel us for the next 50 years, so that when the 400<sup>th</sup> Anniversary came along, that generation could see the progress we made to become a more unified City. Unfortunately, that got curtailed.

I voted for the slavery apology because part of the Resolution in that apology talked about creating this Commission on Equity, Inclusion, and Racial Conciliation. I voted for the creation of this conciliation commission when it came up last year. The report that we have is a wonderful report. It's got some wonderful ideas and suggestions, and as Councilmember Griffin and Councilmember Appel, and some others have mentioned, there are certain parts that I can't accept. I can't support defunding the police. I know where the budget is on the police. I know how much money is allocated to that, and I know from my conversations with Chief Reynolds as to how we're strapped already. If I need to communicate to my constituents and to the City of Charleston that I'm going to institutionalize a report that talks about defunding the Police or approving \$100 million in reparations, it's going to create more problems. That's why I voted the way I did.

The issue before us now is to provide this new commission, sort of redefined a little bit, and if you look through it, you'll see what's been struck out and what's been included. That Commission, if we vote on this ordinance, is not institutionalizing the report. That's important. If I thought it was institutionalizing the report, I would vote against it. The ordinance, as it stands right now, is simply to redline the commission and take out some of the things the commission has already accomplished. I'm going to support the ordinance, but I just want to reemphasize something Councilmember Waring said.

We need to catch our breath. We need to step back a little. We, as leaders, the 13 of us up here at this podium, need to go out to the folks that were here earlier and listen to what they had to say. That was democracy out here today. It was ugly. It was brutal. It was painful. But it was democracy. We have an obligation to listen to one another and respect one another and be

people of goodwill so that we can do the will of the people. We can't do that divided. We can only do that united. Thank you, Mr. Mayor."

Mayor Tecklenburg said, "Thank you."

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, "Thank you. I, too, am going to support the ordinance. I just wanted to put on record that this is for a first reading. It will come back to us before adoption for a second and third reading. I think all of us received the comments, and I actually forwarded them earlier this week from one of our committee chairs, Mr. Jerome Harris, who has put forward three, what I think are improvements, to parts of the ordinance, so I just want to put those on record and hope that we can add them in before we get the second reading version. Essentially, he's recommending that we report annually, that the commission would report annually to the public and City Council on the status of their work. In addition, the commission will be supported not only by the City's manager of Equity, Inclusion, and Racial Equity, but by other City staff and consultants as needed. He's suggesting we add in outside consultants as needed. The third is that we will establish a regular time and place of meeting, just like we do for the majority of our commissions. Have a monthly meeting on a reliable day of the week. I'll look forward to having those in the second reading version. Thank you, Mr. Harris."

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

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, "Just to make sure I make it obvious, the reason why I'm going to vote no tonight on this, and I want to support this, and I'm glad this is going to have another reading in a couple of weeks, but letter 'a,' to make recommendations regarding the implementation of the Special Commission's final report, I just want there to be clarity that there are certain terminologies and certain ideals that we're not going to support, so that's why I'm going to vote no tonight. I could change my mind."

Mayor Tecklenburg said, "Understood. Yes, sir. Any other questions or comments?"

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

*An ordinance to amend Chapter 2 of the Code of the City of Charleston by adding Division 11, Sections 2-206 through 2-210, creating a new Commission entitled "Special Commission on Equity, Inclusion, and Racial Conciliation" and describing its purpose, duties and responsibilities, and organization.*

The vote was not unanimous. Councilmember Griffin voted nay.

Mayor Tecklenburg said, "Next on our agenda is [a report from the Health and Wellness Advisory Committee.](#)"

Mayor Tecklenburg recognized Councilmember Shealy.

Councilmember Shealy said, "Thank you, Mr. Mayor. The Health and Wellness Advisory Committee has been very active in listening and also in action mode the last several months. I want to thank Paul Wieters, our Wellness Coordinator for the City, for all his leadership. He does an outstanding job of keeping us organized, on track, but he also builds some incredible relationships with the medical professionals and health professionals out in the community who help us, so a big thank you to Paul. I also want to thank Robert Summerfield and his staff for taking the time to listen and build an understanding of health in all policies and then ensuring that it was included in the draft of the City plan. Thank you very much for that.

We continue to thank Dr. Katie Richardson with DHEC. She's such a valuable resource for us. She's helped us with the Fast Track Cities and especially the updates on the health in the communities throughout the pandemic. Of course, we appreciate her support with all other health issues and encouraging us to have a healthy community. Her most recent reminder is that flu season is coming up, and she wanted us to convey that there still continues to be a strong need to remind everyone to get flu shots along with, obviously, getting vaccinated for COVID-19 if you can.

We were able to get a brief snapshot of homicide and suicides in our City's zip codes in this past month. It's helped us understand some social determinants of health facing different zip codes and some opportunities for us to engage in and improve those life expectancies challenges. We had the Heat Watch. It was done on July 31<sup>st</sup>, where high risk areas throughout the community were measured throughout the day to help better understand what impact rising temperatures have on us locally. We're looking forward to learning more about those findings later on in the year.

Finally, we had the MUSC Center for Violence Prevention, under the direction of Dr. Ashley Hink, present to us the impactful opportunity their prevention strategies are geared to make. This program is now up and running. Dr. Hink shared that their intervention programs are separate from what the Police Department does. Police certainly need resources to fight crime and violence. However, violence intervention programs in the community and healthcare setting are separate from that. The criminal justice system has not been able to and cannot fight this alone. The MUSC Intervention Program is about addressing root causes of violence, trying to break cycles of retaliation with individuals and in the community, and providing wrap around service to connect survivors of violence and others who are high risk with services pertaining to mental health, substance abuse, trauma, jobs, education, housing, transportation, etc. These programs are evidence-based, cost-saving, and address issues beyond violence for our high risk youth and neighborhoods. The last instance of shootings that we know that happened is thought to be retaliation for shootings that left another person dead earlier this summer. We have to break these cycles, and if Charleston wants to address these issues, we must invest in this work in addition to supporting our Police because both are necessary. During our last meeting, Mayor Tecklenburg shared similar work that the Mayor's Office for Children, Youth, and Families are doing with developing coalitions and mentorships to specifically help the Police and our youth in areas of greatest need throughout the City. He also shared the opportunity that we need to reach out to our other local governments to help find financial resources to help support opportunities like the MUSC Violence Intervention Program.

As the chair of our Health and Wellness Committee, I'd like to invite you to listen to our last meeting on YouTube and learn more about the exciting strategies and opportunities that are being offered to help turn the corner through violence prevention by offering tools to address violence with real solutions. I'd also like to ask Council to consider funding opportunities to ensure

we keep this program in place to help lead us through our efforts and make change a reality. At a future meeting, I'd also like to have Dr. Hink take a few minutes, if Council would allow, so that she can share her work and show us what can be done. Again, thank you to an incredible team of health and wellness advisors who care and are ready to be at the table and be engaged with our City Council. Thank you, Mr. Mayor."

Mayor Tecklenburg said, "Thank you, Councilmember Shealy. You're doing a terrific job, and I really would ask you all to take a look at that meeting. There's a lot of great work going on there. Councilmember Shealy had picked up the baton from Councilmember Seekings, who had led this Committee for some time. It really is a remarkable cadre of healthcare professionals in our community from all aspects. Keep up the good work. Thank you. Speaking of health and wellness, next is our City's [update on COVID-19](#). Tracy McKee has just a little bit of information to share with us, and then we have a few ordinances to consider."

Ms. McKee said, "Yes, thank you, Mayor. Good evening, Councilmembers. You all received a very thorough update from Dr. Sweat last week, so I'll be very brief and share just a few bullet points on the current state of COVID-19. DHEC's press release today reported that in June, more than 90% of COVID-19 cases and deaths and 86% of hospitalization were individuals who were not fully vaccinated. In July, those not fully vaccinated accounted for 88% of cases, 77% of hospitalizations, and 79% of deaths. Dr. Brannon Traxler was quoted as saying, 'the rise of highly transmissible variants, like Delta, and lagging vaccination rates have led to increases in these categories including breakthrough cases. Data still shows that vaccinations can end this pandemic if enough people are willing to roll up their sleeves.' State-wide, the COVID-19 positive hospital inpatient population has increased from 4% to over 19% over the past five weeks. In City zip codes, cases have been rising for seven straight weeks. The seven-day trend has increased 83% over the past two weeks. We're also seeing an increase in the number of employee infections. As of earlier today, we have 14 positive cases and another 13 that are waiting for test results due to possible exposure. I'm happy to try to answer any questions you all may have."

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

No one asked to speak.

Mayor Tecklenburg said, "Hearing none, the [first emergency ordinance we have to consider an extension of is for our own meetings](#). Julia Copeland, I think you're going to share with us kind of where we are with that. I believe it's pretty apparent with the rise of cases that we weren't quite ready to go back to City Hall and Council Chambers just yet. Do you all want to consider continuing to meet in a large setting like this where we can distance and still have the public available to us, or go back to fewer virtual meetings?"

Ms. Copeland said, "Thank you, Mayor. Ordinance 2020-040 was the ordinance suspending the requirement for physical presence at Council meetings for Councilmembers. That was, I believe, I'm actually trying to figure out, we did extend at the July meeting, Jennifer, was it this particular one or was it for all Boards and Commissions?"

The Clerk said, "Yes, we added this one to the July agenda, and we extended it. I think it expires at the beginning of September."

Ms. Copeland said, "Right. It was 30 days, so if we don't vote on that tonight to extend it in any way, it will eventually expire before our September meeting. Also, 2020-049 is also

suspending the rules for our appointed Boards and Commissions, including Planning Commission, to allow for Zoom attendance if necessary.”

Mayor Tecklenburg said, “And does that need to be extended?”

Ms. Copeland said, “Yes, sir. Currently, as I have them written, it is for 60 days, but if you want to trim it down to a specific timeframe, please let me know.”

Councilwoman Jackson said, “Move for approval.”

Councilmember Shahid said, “Second.”

Mayor Tecklenburg said, “A motion to approve and a second?”

Councilmember Seekings said, “Both are for 60 days?”

Ms. Copeland said, “Correct, both of these are written for 60 days.”

Councilwoman Jackson said, “6 and 7.”

Mayor Tecklenburg said, “Asking for an extension of 60 days. It doesn’t mean that we can’t stop sooner, but this gives us the ability to go that long.”

Mayor Tecklenburg recognized Councilmember Brady.

The Clerk said, “Who was the second on the motion? Was there a second?”

Mayor Tecklenburg said, “Councilmember Shahid.”

Mayor Tecklenburg recognized Councilmember Brady.

Councilmember Brady said, “We had talked at the July meeting, when we were going to extend the virtual aspect, that we look at incorporating, especially for committee meetings, it into the Rules of Council going forward. I was wondering if we’d made any progress in Ad Hoc Committee or something that could come up with recommendations to come to the full Council on that for the standing subcommittee meetings so that we can do those electronically. Later on, we talked about coming back to Council with a recommendation on changing the Rules of Council eventually to allow for virtual attendance.”

Mayor Tecklenburg said, “Okay. That would be just the Rules of Council and not an ordinance requirement.”

The Clerk said, “It would require a change of the Code because the Rules of Council are in the Code.”

Mayor Tecklenburg said, “Okay.”

Councilmember Brady said, “So, I would like to volunteer myself for an Ad Hoc Committee if there are other Councilmembers who are interested in putting that together.”

Mayor Tecklenburg said, "You're the chairman."

Councilmember Brady said, "Great."

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, "Yes, sir. I'm not volunteering to serve on any more committees. Even though tonight was rough and Councilmember Shahid said it so perfectly, we were among the people, it was democracy. It may not have been pretty. All of us are questioning if we should even be in these seats right now, but we have to be among the people. We have to do everything we can to be among the people because we were gone for so long. I think part of why we've seen such an influx of these last two months since we've come back in person, we've had some hostile moments. I think that there are people that have been wanting to face us for a while, and didn't have that opportunity. So, even though this is tough, and I definitely don't think City Hall itself is the right place right now due to everything going on around us. If we can keep having these large gymnasium forums, giving the people the opportunity to get up and speak their mind, it's going to be rough for a while. Eventually, sometimes being able to vent actually helps people. I think there are a lot of people who walked out of here tonight who felt better because they had the opportunity to do that. Sometimes we're going to have to be a punching bag. I think going back to virtual is just going to cause our constituents to lose faith in us. They're going to think, 'okay, well, they came back in person, and when the going got tough, they went back to the virtual.' I don't think City Hall is the right answer, but this is."

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

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, "Thank you. I agree with my colleague, Councilmember Griffin, that the best venue is for the Council to be in person in a place where the public is free to come as safely as we can require. I do think that we need to watch the numbers and what's happening in the real world in real time and give ourselves the opportunity to make a change if all of a sudden we know we can't continue to keep the public safe in particular by meeting in person. I like having both options."

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

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Gregorie said, "I like having the option of both. As things evolve, this may not be appropriate. I mean, right now, we have one Councilmember sitting here that's not even obeying the rules of this gym. We need to set the example, Mr. Mayor. I do think that we should have options of whether or not we do it virtually or in person."

Councilmember Griffin said, "I am fully vaccinated, by the way."

Mayor Tecklenburg said, "I am going to ask when we come back next time, that we set up on the other side of the room there so the fan won't be right in our ears. Any further comment?"

Mayor Tecklenburg recognized Councilwoman Delcioppo.

Councilwoman Delcioppo said, "I just want to confirm, when we talk about meeting in person, our full Council meetings but continuing our committee meetings via Zoom? That's what Councilmember Brady was talking about. We'll kind of keep that going as long as it's copacetic for us to do so?"

Mayor Tecklenburg said, "Understood. Alright. Anyone else? We're extending two ordinances here together."

No one else asked to speak.

On a motion of Councilwoman Jackson, seconded by Councilmember Shahid, City Council voted to ratify the following Emergency Ordinances:

**2021-110 -** EMERGENCY ORDINANCE EXTENDING EMERGENCY ORDINANCE NO. 2020-040 SUSPENDING THE REQUIREMENT OF PHYSICAL PRESENCE OF COUNCILMEMBERS AT COUNCIL MEETINGS

**2021-111 -** EMERGENCY ORDINANCE EXTENDING EMERGENCY ORDINANCE NO. 2020-049 RELATED TO TEMPORARY PROCEDURES FOR HEARINGS BEFORE CERTAIN PUBLIC BODIES

The vote was not unanimous. Councilmember Griffin voted nay.

Mayor Tecklenburg said, "Next up is a [consideration of additional measures which would be a mask ordinance](#) that was presented by Councilmembers Sakran, Gregorie, and Jackson. I think our Counselor would like to make some remarks about that."

Mr. Johnson said, "Yes, sir, Mr. Mayor. This proposed Emergency Ordinance would be essentially a codification, if you will, of the Resolution that was considered and passed at the special meeting a few weeks ago, a month or so ago. As I think everyone is aware, this Emergency Ordinance would mandate the wearing of face masks or face coverings in government buildings. Now, the wording that I think was sent to Council, for example, the title of the ordinance, the Legal Department, at this point, is recommending that that wording actually be 'requiring face coverings indoors in government buildings, public schools, private schools, and child daycare under certain circumstances.' On page 2, section 2, which is entitled 'face covering or mask required in all indoor settings,' the recommendation from the Legal Department, that paragraph would be 'the use of a face covering or mask is required by every person within the boundaries of the City of Charleston in public schools, private schools, and daycare. For purposes of this ordinance, persons shall mean anyone over the age of 13 and any children ages 2-12, regardless of vaccination status.' So what we're recommending be deleted from that paragraph in section 2 is the terminology 'all public facilities.'"

Mayor Tecklenburg said, "Yes, sir."

Mr. Johnson said, "So, the adoption of this Emergency Ordinance would require a two-thirds votes to amend the agenda and a two-thirds vote to pass."

Mayor Tecklenburg said, "So, first we would require a motion to amend the agenda to include the Emergency Ordinance. Can I entertain a motion?"

Councilwoman Jackson said, "Mr. Mayor, I think he meant to put in Section 2 to repeat the title and add in 'government buildings,' is that right?"

Mr. Johnson said, "Yes."

Councilwoman Jackson said, "Take out 'public facilities' but add in 'government buildings.'"

Mr. Johnson said, "Yes. Any government building, that's correct."

Councilwoman Jackson said, "Yes, sir. I'm sorry. I don't think you read that to us when you read that section."

Mr. Johnson said, "Okay, I may have omitted that."

Councilwoman Jackson said, "So it mirrors the title that you read for us?"

Mr. Johnson said, "That's correct."

Councilwoman Jackson said, "Might I ask, government buildings, would the public libraries fall under that category?"

Mr. Johnson said, "Yes, it seems to me that that's a government building."

Mayor Tecklenburg said, "Can I first entertain a motion to even amend the agenda so that we can entertain the ordinance? Then we can talk about it."

Councilwoman Jackson said, "Okay."

Mayor Tecklenburg said, "Anybody want to move to amend the agenda?"

Councilmember Waring said, "Move for approval."

Councilwoman Jackson said, "I'll second."

Mayor Tecklenburg said, "I've got a motion over here and a second. Any discussion about just adding this to the agenda?"

No one asked to speak.

On a motion of Councilmember Waring, seconded by Councilwoman Jackson, City Council voted to add an Emergency Ordinance requiring face coverings indoors in any public facility, including government buildings, public school, private school and child daycare under certain circumstances.

The motion passed 10 to 3. The vote was not unanimous. Councilmembers Delcioppo, Shealy, and Griffin voted nay.

Mayor Tecklenburg said, "Do you all want to call a roll call because just four votes would be enough?"

The Clerk said, "Councilwoman Delcioppo."

Councilwoman Delcioppo said, "Nay."

The Clerk said, "Councilmember Shealy."

Councilmember Shealy said, "Nay."

The Clerk said, "Councilmember Sakran."

Councilmember Sakran said, "Yes."

The Clerk said, "Councilmember Mitchell."

Councilmember Mitchell said, "Aye."

The Clerk said, "Councilmember Brady."

Councilmember Brady said, "Aye."

The Clerk said, "Councilmember Gregorie."

Councilmember Gregorie said, "Aye."

The Clerk said, "Councilmember Waring."

Councilmember Waring said, "Aye."

The Clerk said, "Councilmember Seekings."

Councilmember Seekings said, "Aye."

The Clerk said, "Councilmember Shahid."

Councilmember Shahid said, "Aye."

The Clerk said, "Councilmember Griffin."

Councilmember Griffin said, "Nay."

The Clerk said, "Councilmember Appel."

Councilmember Appel said, "Aye."

The Clerk said, "Councilwoman Jackson."

Councilwoman Jackson said, "Aye."

The Clerk said, "Mayor Tecklenburg."

Mayor Tecklenburg said, "Aye. So, that's on the agenda. Now we can entertain a motion to accept the Emergency Ordinance."

Councilmember Gregorie said, "Move for approval."

Councilmember Waring said, "Second."

Mayor Tecklenburg said, "We've got a motion and a second over here from Councilmembers Gregorie and Waring. Any discussion on the ordinance itself?"

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, "Mr. Mayor if you don't mind, I'd like to ask our Corporation Counsel a question first. I can understand if you don't want to answer this publicly and if we need to go into an executive session, but what made our Legal Department decide to make that change?"

Mr. Johnson said, "As to public buildings?"

Councilmember Griffin said, "Right, because from what I understand, and correct me if I'm wrong, but the previous iteration was all indoor facilities, which would have been businesses, and now it's only for government buildings, which I believe our Mayor has already executed the authority to require face coverings in government buildings already. We've already had a Resolution of the same effect. So, what made our Legal Department decide to make that change today?"

Mr. Johnson said, "Of course, the Resolution was an encouragement, which is not the same as an ordinance. The idea was that the public facilities were fairly broad and were not particularly what was intended. What is happening is that that would be limited. Removing that phraseology would limit the stretch and reach."

Councilmember Griffin said, "Thanks. That explains it. I just had one comment I'd like to make, Mr. Mayor. As you all know, I've been very consistent throughout the whole pandemic that we should not mandate masks. Yesterday I made a poll that I sent out to all my neighborhood associations and had over 1,000 people that voted within a few hours. Over 62% supported encouraging masks or no masks at all. So, tonight I will be staying consistent and voting to allow the will of the people to make the decision for what is right for them and their families. Thank you."

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

Mayor Tecklenburg recognized Councilmember Brady.

Councilmember Brady said, "Thank you, Mr. Mayor. Just last week, I talked about how this body, we hate the overreach of State government whenever they infringe on Home Rule rights of a municipality. It strikes me, especially with Charleston County School District's 8-1 vote yesterday, that by us passing this as an emergency ordinance tonight, that we're effectively overruling and extending our mandate into areas that already have duly elected officials that can make that decision. As an example, we're in Berkeley County right now. The Berkeley County School District has duly elected officials serving on their school board that can make the decision, just like the Charleston County School District did, just like Richland One did, that if they wanted

to defy the proviso and do that, they're duly elected and have the ability to do that. As Councilmember Griffin mentioned, the Mayor executed that being in City government buildings, you need to wear a mask. Being in County buildings, the County requires masks. Most of the private schools in the area are already requiring masks. It would seem to me that the point is moot that we would have to pass this tonight on an emergency order when if it warrants later on that we want to do it, we can always do it under regular order. So I'll be voting 'no' tonight."

Mayor Tecklenburg recognized Councilwoman Delcioppo.

Councilwoman Delcioppo said, "I, too, took a poll. I'm not as popular as Councilmember Griffin. I only got 400 people to respond to mine. I was very, very shocked. I do my very best to vote in alignment with what the majority of my constituents say. It doesn't matter what I think. I don't rule my district. I represent my district. As of 2:45 p.m., 374 people did not want a mask mandate, and 75 did. 83.3% do not want a mask mandate, and 16.7% do. I feel as though it would be disrespectful of me to issue a mask mandate given these types of numbers, especially when I provided a comment section. Nearly everyone left a comment. It was overwhelmingly to recommend a mask ordinance, to not mandate it, and also feedback on if you have this mandate, and you're going to enforce it, but what are the penalties of it, and wasn't it nearly impossible to enforce before. With all of the issues we ran into, why would you go right back to that again? That gave me a lot of pause for consideration. I agree. I don't think we can tell school districts what to do any more than we would want them coming in and telling us what to do. They're duly elected, and they represent people, just like we do, and they have to make decisions that align with their constituency. I appreciated the meeting that we had last week where we encouraged masks to be worn. Strongly recommending it, I thought that was perfectly acceptable. People seemed to be very happy with that. I guess I'm trying to figure out how we want to say mandate, but there's no penalty, so isn't that still really a recommendation? I don't know if I'm splitting hairs. I think, again, we've been talking this evening about words. For those of you who know me, my entire career is words. I write. I think it's the word 'mandate' that people are getting stuck on. I'm all for a recommendation and encouragement, but based on my folks, I just can't go with the mandate."

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

Mayor Tecklenburg recognized Councilmember Appel.

Councilmember Appel said, "Thank you, Mr. Mayor. We're dealing with not only a rapidly evolving medical and scientific challenge, we're also dealing with a rapidly changing and evolving legal framework in this State over this issue. Since we've been up here today, South Carolina Supreme Court unanimously rejected Attorney General Alan Wilson's interpretation over the proviso in the State budget dealing with masking in schools. Since we've been sitting up here today, the College of Charleston has imposed a mask mandate, Clemson has imposed a mask mandate, and I'm sure there are countless others.

We all know what happened with Charleston County School District last night. You all know how strongly I felt about this last week when I made some comments about what the legislature was doing up in Columbia and how I thought it was completely out of line and out of bounds and inconsistent with home rule, etc. The source of my objection simply centered around the fact that the legislature in Columbia, a couple of, frankly, back bencher legislators from the Upstate, were saying that they know the best for Charleston, Berkeley, etc. Charleston County School District wants to impose a mask mandate. Berkeley County School District doesn't. Let's respect that. I would suggest we amend our ordinance to apply only to schools in Charleston County, so

Charleston County School District. Let's let Berkeley County do its own thing. We're not overstepping the Berkeley County School District. We are coming to the aid and support of our friends and colleagues in Charleston County School District who overwhelmingly support masks.

I had an unscientific poll on my Facebook page, and the support was overwhelmingly in support of masks. I'm looking right now at a letter signed by 1,378 pediatricians not in the County, not in the world, but in South Carolina supporting masks. We need to come to the aid of the folks who want to impose the rules as they see fit for their schools, Charleston County School District. The overwhelming majority of private schools in Charleston have imposed mask mandates of their own. A handful of schools haven't. I think we should also take out private schools from the ordinance. Let the private schools do what they want to do. The vast majority have already required masks. Let them make the decisions for their schools.

Can I propose an amendment to the motion? I'd like to amend the motion or the ordinance on the table to eliminate the reference to private schools and craft some language to say our ordinance applies only to the public schools in the jurisdiction of the Charleston County School District, not Berkeley County. Let's let Berkeley County do what they want to do. I think that charts a measured path forward on this issue. There are going to be further legal developments on this issue. The Supreme Court is probably going to weigh in. Frankly, based upon some of the things I'm hearing, and what I saw on the way in here today, it's not entirely clear that Charleston County School District is able to fully implement what they wanted to do last night. If this ordinance provides aid and support for the Charleston County School District, I think it's worth passing tonight. Let's let the private schools do what they want to do. Let's let Berkeley County School District do what they want to do. I've got friends on the Berkeley County School District Board, and they're good people. They've got a different district than Charleston. My whole thing is about letting the schools decide for themselves. A legislature overstepped by trying to say they know best for the entire State in Columbia. That's bad policy. That's unlawful. To the extent that our ordinance can help rectify those wrongs and help nudge the State in the right direction, I think it's worth doing. That's my proposed amendment to the ordinance for this evening. Thank you."

Councilwoman Jackson said, "I'll second."

Mayor Tecklenburg said, "We have an amendment and a second. Councilmember Sakran, do you want to address that?"

Councilmember Sakran said, "I was going to second it. Thank you, Councilwoman Jackson. Can I make a few comments?"

Mayor Tecklenburg said, "Yes."

Councilmember Sakran said, "I'm going to support the vote tonight for the mask mandate. I'm not going to get into a debate about whether masks work or not. I feel like I'm beating a dead drum. What I will say is, the path that we are headed, Georgia, 11 schools closed. Pickens County schools closed after they opened within nine days. Whether you want a mask or not, that is the direction we're potentially headed, so guess what? All of our kids are going to be unmasked because they're going to be home with us. So when we talk about supporting small businesses in our local business community, well, guess what? That's going to be a huge interruption to your workday as parents and my workday. It's just a different take on things. We need to do everything we can to make sure our kids are in school, they're safe, and the school continues to run

uninterrupted. Where we're headed today is school interruptions and virtual learning. We're going to be back at it. Those are my comments."

Mayor Tecklenburg said, "Thank you. So, I do need to ask the maker of the motion if they will accept the amendment. He will not. So we need to vote on the motion that's on the floor."

Councilmember Waring said, "Mr. Mayor?"

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "I want to ask this of our Counsel. We passed an ordinance for the City of Charleston. Can we pass an ordinance that applies to one part of the City, and doesn't apply to another part of the City?"

Mr. Johnson said, "So, the question, as I understand it--"

Councilmember Waring said, "I thought an ordinance applied from one end of the City to another."

Mr. Johnson said, "Yes."

Councilmember Waring said, "So in this case, we're going to amend the motion, well, it wasn't accepted, but the mask mandate would apply in the City of Charleston, but this is Berkeley County that we're in right now. It wouldn't apply in Berkeley County. I thought when we passed an ordinance, it applied city-wide."

Mr. Johnson said, "I understood the amendment to say that it would apply to the City of Charleston to public schools, as I understood the amendment, within the jurisdiction of Charleston County School District."

Councilmember Waring said, "Well, his thing wasn't going to apply to Berkeley County, but Berkeley County, part of it is in the City of Charleston."

Mr. Johnson said, "The amendment, as I understand it, would exclude schools that are within the jurisdiction of the Berkeley County School District. It wouldn't necessarily exclude areas in the City of Charleston that may fall within Berkeley County."

Councilmember Waring said, "So we're going to pass an ordinance that applies to one part of the City of Charleston, but doesn't apply to another part of the City of Charleston."

Mr. Johnson said, "No. Again, as I understand it, the amendment has to do with the public schools that are within the jurisdiction of Berkeley County, but the ordinance itself would apply throughout the City of Charleston, including those parts of the City of Charleston that may fall within Berkeley County. The exclusion will be the schools that are within the jurisdiction of the Berkeley County School District. That's my understanding of the motion."

Mayor Tecklenburg said, "Alright, so the amendment was not accepted."

Councilmember Seekings said, "I have a question."

Mayor Tecklenburg said, "Yes, sir."

Councilmember Seekings said, "I have a question procedurally. We had to have a vote of a supermajority to get the vote on whether or not to undertake the motion."

Mr. Johnson said, "Yes."

Councilmember Seekings said, "If the motion fails, which I'm suspecting it's about to, can we then have Councilmember Appel make the motion, get a supermajority vote, put it back on, and then vote on his amended motion?"

Mayor Tecklenburg said, "As long as we have a two-thirds vote, I think we can do that."

Councilmember Seekings said, "So we're just going to start again and get a two-thirds vote to get the Appel version up."

Mr. Johnson said, "Yes."

Councilmember Seekings said, "Which excludes the Berkeley County School District, which has said they don't want our help. Essentially, all we're doing is lending our support and sort of having the back of the Charleston County School District. As has been pointed out, since we've been sitting here for hours tonight, there's been a ton of developments out there that essentially make this a motion of support rather than anything of enforcement. There's no enforcement mechanism anyway. By the way, thank you to the 1,300 doctors for not coming here tonight to speak to us. That was awesome. I just want to make sure we can pass on that since Councilmember Gregorie won't accept the amendment."

Mr. Johnson said, "Yes."

Mayor Tecklenburg said, "With the two-thirds vote."

Mr. Johnson said, "With the two-thirds vote, yes."

Councilmember Seekings said, "I think the Appel way of doing it satisfies a lot of the concerns that Councilmembers have about what we're trying to pass."

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Gregorie said, "I'm not clear. Berkeley County is not covered by this currently. Am I correct? Yes, that's still my motion, including those that are in Berkeley County if we're talking about government buildings."

Mayor Tecklenburg said, "The original motion is on the floor and requires a two-thirds vote to pass. Why don't we take a roll call vote?"

Councilmember Seekings said, "It doesn't sound like it's going to pass."

Mayor Tecklenburg said, "Alright, we're going to have a roll call vote."

Mayor Tecklenburg recognized Councilmember Sakran.

Councilmember Sakran said, "What was the motion?"

Mayor Tecklenburg said, "We're voting on the Emergency Ordinance requiring face coverings indoors in any government facility, public school, private school, and daycare in the City of Charleston. That includes both Charleston and the portion of Berkeley County that's in Charleston. Madam Clerk, please give us the roll call vote."

On a motion of Councilmember Gregorie, seconded by Councilmember Waring, City Council considered an Emergency Ordinance requiring face coverings indoor in any government facility, public school, private school, and daycare in the City of Charleston. The motion failed 10 to 3.

The vote was not unanimous. Councilmembers Gregorie, Waring, and Mayor Tecklenburg voted in favor of the motion.

The Clerk said, "Councilwoman Delcioppo."

Councilwoman Delcioppo said, "Nay."

The Clerk said, "Councilmember Shealy."

Councilmember Shealy said, "Nay."

The Clerk said, "Councilmember Sakran."

Councilmember Sakran said, "No."

The Clerk said, "Councilmember Mitchell."

Councilmember Mitchell said, "No."

The Clerk said, "Councilmember Brady."

Councilmember Brady said, "Nay."

The Clerk said, "Councilmember Gregorie."

Councilmember Gregorie said, "Aye."

The Clerk said, "Councilmember Waring."

Councilmember Waring said, "Aye."

The Clerk said, "Councilmember Seekings."

Councilmember Seekings said, "Nay."

The Clerk said, "Councilmember Shahid."

Councilmember Shahid said, "No."

The Clerk said, "Councilmember Griffin."

Councilmember Griffin said, "Nay."

The Clerk said, "Councilmember Appel."

Councilmember Appel said, "Nay."

The Clerk said, "Councilwoman Jackson."

Councilwoman Jackson said, "Nay."

The Clerk said, "Mayor Tecklenburg."

Mayor Tecklenburg said, "Yes."

The Clerk said, "The motion fails."

Mayor Tecklenburg recognized Councilmember Appel.

Councilmember Appel said, "Mayor, I just had the craziest idea. I'm going to make a motion to amend the ordinance that was presented to us this evening and read to us by our Corporate Counsel, Mr. Johnson, with the following amendments: strike the reference to private schools; add language specifying that the school component of the mask mandate applies only to schools in the City of Charleston under the umbrella of the Charleston County School District, specifically omitting the schools under the umbrella of the Berkeley County School District; as to government buildings, government buildings in Charleston County and Berkeley County are all subject to the requirements because they're our buildings, and we get to make the rules for them, not the school district. I would just maybe add one quick comment that we draw lines all the time on ordinances. There's no rule that all ordinances have to have City-wide applicability. We looked at a MID for Johns Island. Zoning, by definition, only applies to portions of the City. There's a ration basis for what we're doing here, namely the fact that Berkeley County doesn't want to do it. I think we're on legal ground for this. That's my motion, and I hope we can get 2/3<sup>rd</sup> and come to this board of our colleagues at Charleston County School District. Thanks."

Councilmember Gregorie said, "Second."

Mayor Tecklenburg said, "Okay, hold that thought for just a minute. First, let's amend the agenda so we can consider the motion. Councilmember Seekings, can I entertain a motion?"

Councilmember Seekings said, "Yeah, amend the agenda to adopt the motion as presented by Councilmember Appel."

Mayor Tecklenburg said, "We have a motion to amend the agenda as we did a few minutes ago. Is there a second?"

Councilwoman Jackson said, "Second."

On a motion of Councilmember Seekings, seconded by Councilwoman Jackson, City Council voted to amend the agenda to add an emergency ordinance requiring face coverings indoor in any government facility and public school in the City of Charleston under the umbrella of the Charleston County School District. The vote was not unanimous. Councilmembers Shealy and Griffin voted nay.

The Clerk said, "How many 'nays' were there? Councilmember Griffin and---"

Councilmember Shealy said, "I was a nay."

The Clerk said, "Councilmember Shealy. Okay, thank you."

Mayor Tecklenburg said, "Now, Councilmember Appel, I know we all just heard that thought, but if you could just succinctly restate your motion, we'd appreciate it."

Councilmember Appel said, "I'm going to focus on that word succinctly. I move to amend the ordinance that was presented to us this evening, to take out the reference to private schools, and to clarify that the mask ordinance for public schools only applies to the public schools in Charleston County School District, not the public schools in Berkeley County School District, and leave everything else the same."

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

Councilwoman Jackson said, "I second."

Mayor Tecklenburg said, "Any discussion?"

Mayor Tecklenburg recognized Councilwoman Delcioppo.

Councilwoman Delcioppo said, "Would it be cleaner to say, rather than calling out school districts, to just say those school districts who have opposed the mask mandate, again, should things change, or something like that? Does that make it cleaner and easier rather than specifying the two school districts? Just a thought. Again, I don't have my crystal ball. I don't know how things may change in the future, but just trying to be a little bit forward thinking."

Mayor Tecklenburg recognized Councilmember Shealy.

Councilmember Shealy said, "Thank you, Mr. Mayor. I've got a couple of questions. One of them, Councilmember Appel, if we're talking private schools, we don't have any public daycares, so I'm assuming we're talking all private schools from ages 2 and up. I would assume."

Councilmember Appel said, "I think we should take all private schools out of the ordinance."

Councilmember Shealy said, "Okay, good. I guess my other question is if Charleston County lifts their ban, and we don't have a meeting for a couple of weeks, and we're still banning masks, I see that as a problem. If they decide to lift their mask ban, and we've still got something in the City of Charleston, then we've got an issue. I just think we're overstepping our bounds here. They've got the mask mandate. They've made that decision. I hear you saying we've got their

back, but we have more than their back if they decide to drop that, and we still have an ordinance here in the City. We've got an issue."

Mayor Tecklenburg said, "Good point."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "I'm going to vote against this for this reason. We're making a distinction tonight between private schools and public. If our responsibility is public safety and to help stem this tide of this virus, then we're making a determination, and we're putting children in different classes and different groups. Either we come across completely in support of children in our City, regardless of what County they live in, regardless if they are in public school or private school, then we need to take that stance. It's really just that simple. We're going to carve out and say we're half a City. That's Councilmember Waring's point, we're half a City. Rules apply for citizens in the City of Charleston in one County, but not the other. Rules apply for a student who goes to a public school but not a private school. That's just not fair. I'm going to vote against it."

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, "Honestly, we may just have effectively just caused Charleston County School District to lose a bunch of students who are now going to try to enroll in private schools, so they don't have to wear a mask. I get what we're trying to do here. Obviously, I'm not wearing a mask. I haven't been wearing one all night, which shows there isn't going to be any enforcement of this thing anyway. We're getting into the weeds now. I think we all know where our heart is at. We just need to take the vote."

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

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Gregorie said, "What are we voting on?"

Mayor Tecklenburg said, "The motion on the floor is to have a face covering indoor requirement for government buildings and Charleston County School District ---"

Councilmember Gregorie said, "But not private schools."

Mayor Tecklenburg said, "In the City of Charleston, but not in Berkeley County. Is that correct? Basically?"

Councilmember Gregorie said, "And daycare centers and private schools?"

Mr. Johnson said, "I think the motion also excludes private schools. Am I correct?"

Councilmember Appel said, "That's right. And just real quickly, the vast majority of private schools have already required masks. There's a handful that doesn't want to do it. They're small schools, and it's the Catholic schools. I think, some of them are not doing it."

Councilmember Shahid said, "They're not small schools."

Councilmember Appel said, "They're not small schools, but you know---"

Councilmember Shahid said, "You're eliminating Bishop England. You're eliminating all the parochial schools. That's a large population of our kids."

Councilmember Appel said, "Listen, I hear you. I think all kids should be wearing masks in all schools in every County in every State in the Country. That's what I think is best. I'm just trying to, do we thread the needle so we can pass something tonight and support the folks at the Charleston County School District? The Charleston County parents overwhelmingly want this. It's a different feel in Charleston County than it is in Berkeley County. That's demonstrated by the fact that it was an 8-1 vote last night. I just implore my colleagues, let's not let perfect be the enemy of good. Let's give some aid and support to our school district, Charleston County School District, that has been unfairly threatened by our State legislature. To the extent we can help them, I think it's worth doing."

Mayor Tecklenburg said, "Alright. Any other comments or questions? I'll call the question. It will be a roll call vote. Madam Clerk, call the roll."

The Clerk said, "Councilwoman Delcioppo."

Councilwoman Delcioppo said, "Yes."

The Clerk said, "Councilmember Shealy."

Councilmember Shealy said, "Nay."

The Clerk said, "Councilmember Sakran."

Councilmember Sakran said, "Yes."

The Clerk said, "Councilmember Mitchell."

Councilmember Mitchell said, "Yes."

The Clerk said, "Councilmember Brady."

Councilmember Brady said, "Nay."

The Clerk said, "Councilmember Gregorie."

Councilmember Gregorie said, "Nay."

The Clerk said, "Councilmember Waring."

Councilmember Waring said, "I'm going to vote yes. My colleague is trying so hard on this one. I'm going to vote yes."

The Clerk said, "Councilmember Seekings."

Councilmember Seekings said, "Aye."

The Clerk said, "Councilmember Shahid."

Councilmember Shahid said, "Nay."

The Clerk said, "Councilmember Griffin."

Councilmember Griffin said, "Nay."

The Clerk said, "Councilmember Appel."

Councilmember Appel said, "Aye."

The Clerk said, "Councilwoman Jackson."

Councilwoman Jackson said, "Aye."

The Clerk said, "Mayor Tecklenburg."

Mayor Tecklenburg said, "Yes. The motion fails."

The Clerk said, "Correct, the motion fails."

On a motion of Councilmember Appel, seconded by Councilwoman Jackson, City Council considered an Emergency Ordinance requiring face coverings indoor in any government facility and public school in the City of Charleston under the umbrella of the Charleston County School District. The motion failed 8 to 5.

The vote was not unanimous. Councilmembers Delcioppo, Sakran, Mitchell, Waring, Seekings, Appel, Jackson, and Mayor Tecklenburg voted in favor of the motion.

Mayor Tecklenburg said, "The motion fails. So, our resolution from last week stands. We highly recommend that our citizens wear a mask inside, including students in school, and we highly recommend that our citizens get vaccinated. As soon as the vaccine is available for those 12 and under, we highly recommend that they receive the vaccine, as well. Our resolution from last week still is in effect. Thank you very much. Next on our agenda is [a status update on mobile street vendors](#) requested by Councilmembers Sakran and Brady. So, I'll ask either one or both of you all to open up the discussion."

Councilmember Sakran said, "Thank you, Mayor. Just some quick questions for Chief, if he's here, or if anyone in our Police Department is available. Good evening, Chief."

Chief Reynolds said, "Good evening."

Councilmember Sakran said, "I had some general questions about the mobile ordinance since we passed it. First question is, in your opinion, why the change that we made and what positive outcome have you seen with that change?"

Chief Reynolds said, "Sure. We've seen a variety of problems, late night, in particular after closing, from 1:00 a.m., 2:00 a.m., 3:00 a.m., 4:00 a.m., 5:00 a.m. large numbers of people that

did not leave. I'll just kind of nicely quote somebody else, 'the party was never ending.' It was extending way beyond what it should have. We looked at this. We had some violent incidents where we had people shot and stabbed and some other things. We looked at it comprehensively, things like underage drinking, checking IDs, traffic mitigation. I'd just say extensive, collaborative, problem-solving efforts, the parking meters, lighting, cameras, training, working with different establishments, occupancy permit enforcement, a lot of things. One of them, with the support of the Council, was to close the food vendors down at 1:30 a.m. Of all the things that we've done, and I'd just say that we've done at least 20 things, the most effective thing that we've done was to shut the food vendors down at 1:30 a.m. It's had a profound impact. That's coming directly from my officers, the team leaders, and the supervisors. We've increased staffing on Thursday, Friday, and Saturday nights. We've done a lot, and we're going to continue to do a lot, just like we are in any of our neighborhoods that are experiencing challenges. It's not only on King Street that we've focused our efforts. There are things we can do that are force multipliers, and that was one of them. It's been very effective."

Councilmember Sakran said, "I have a couple of follow-up questions if that's alright."

Mayor Tecklenburg recognized Councilmember Sakran.

Councilmember Sakran said, "So, I understand that, Chief. I applaud and know that there have been improvements made. Can anyone talk to me about the inconsistency of the closing times? I've heard from several of those vendors that other restaurants changed their hours and remained open, serving those same patrons, so basically shifting those patrons from one part of the street to the other. Can anyone confirm that or let us know if that's the case?"

Chief Reynolds said, "Absolutely. I can tell you there are people that weren't happy about that, and I heard it myself at the last Council meeting. People tend to want to tell on each other and all kinds of things, but that's the first I heard of that. I can tell you we had a lot of issues with, previous to these efforts, occupancy permits being exceeded, things like underage drinking, people ignoring the noise ordinance, businesses not closing when they were supposed to, almost making up their own hours. We've paid very close attention to that. If there's a violation, I can tell you we're trying to be as consistent as possible, to be as assertive as possible. We've been making more criminal arrests. We've given more citations. We've done significant investigations for things like drug dealing and a whole variety of things that were contributing to this problem, intervention with gang members, the list goes on. There are a lot of things. If there's a specific establishment that is violating their requirements, I would love to know about it. I promise you, we will be assertive and be consistent. We don't play favorites. At least I'll commit that I won't play favorites. If somehow that's happening, I'll make sure that we address that appropriately."

Councilmember Sakran said, "Thank you, Chief."

Mayor Tecklenburg recognized Councilmember Brady.

Councilmember Brady said, "Thanks, Chief. On August 7<sup>th</sup>, I went downtown at the request of some of the vendors I talked to and observed similar things that Councilmember Sakran had talked about where the brick and mortar businesses have adjusted hours to take over a lot of the demand. I saw the crowds out on the sidewalks and the queues and the lines to get food. I don't think we should be picking winners and losers of business models. Would it just not be more effective if we just amended the late night ordinance and just shut everything down at 2:00 a.m.? Would that help more so?"

Chief Reynolds said, "Well, I think 1:30 a.m. is the time that we would suggest, and I think what most people agree to. I would agree, and you're asking me, so I'll answer from my perspective that all of them should close. Benny's Pizza is one of a couple that I think you're referencing."

Councilmember Brady said, "There was a Chinese restaurant, as well."

Chief Reynolds said, "They're brick and mortar. I will tell you, it's been discussed. I think there's an appetite for that. I would just say publically that from a legal perspective, there's more to that. Like everything else, it's incremental. We're on a continuum. We're trying to be reasonable as we address these issues. We haven't gone with a sledgehammer. We listened. I think last time there was a lot of good input, and Council adjusted some of the decisions based on input from some of the businesses. I think that's going to be a little more difficult, is what I'm told based on the zoning and the way the brick and mortar businesses are given their licenses. That's a completely different kind of discussion. I think there's an appetite for fairness and consistency to make that happen. I would agree with that and advocate for that."

Councilmember Brady said, "And that was just my concern is that they all pay a business license, yet we're picking which business models we like or don't like. Amending the late night ordinance to make it so that the last call for alcohol is at 1:30 a.m. and everything is going to shut down by 2:00 a.m. so we can clear the Central Business District seems like the approach that doesn't play favorites."

Mr. Summerfield said, "If I may, Councilmember, that is exactly what the staff group that's working on the late night ordinance is looking at, to take conversations that have been had, what we can do on King Street to make that situation better, following through and following up on some of the stuff that has been done and has worked, as the Chief mentioned, but then also talking about when do those businesses close, creating that level playing field, if you would, that I think there are some conversations about because, again, if you don't serve alcohol, you don't have that closure time. It's the late night operators that have an alcohol component. They have to close by a certain time, but if you're a brick and mortar, and you don't have an alcohol component, you don't have, by the Code, a requirement to close at a particular hour. We're working on that."

Councilmember Brady said, "Is there an additional overlay or an amendment to an overlay that we could do that would require that? That it's just let's roll up the sidewalks at 2:00 a.m.?"

Mr. Summerfield said, "It could absolutely be that. We're looking at a couple of different ways that we could address that concern, including working with our folks in business licensing, as well as are there any operational requirements that could be done on a license when they renew to also provide some of that requirement."

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, "When are we expecting to have those recommendations? Just because the mobile food vendors, they still call me all the time, and they want to know why there are still vendors that are still serving food until 4:00 a.m. They had to shut down at 1:30 a.m., and 1:30-2:00 a.m. was their big hour. The sooner we can get on that level playing field, I think the better."

Mr. Summerfield said, "We have a meeting scheduled, I believe it's next week. If not, it's the week after. We are moving on it. We're hoping to have something drafted on the late night ordinance that we can start passing around and get some comments on."

Mayor Tecklenburg said, "Anyone else? Does that conclude the discussion for this evening, Councilmembers? Good. Thank you, Chief. Thank you, Robert. I appreciate that. Next is our [Council Committee reports](#)."

Councilmember Shahid said, "My report will only take an hour or two, so you all just relax and get comfortable."

Mayor Tecklenburg said, "Page five. We have made it to page five. Don't worry, it's only a few hundred pages to go. First up is our Joint Committee on Public Safety and Special Facilities. Councilmember Shahid."

Councilmember Shahid said, "Thank you, Mayor. There was a joint meeting Public Safety and Special Facilities Committee meeting held yesterday at 1:00 p.m. We went out of order a little bit and moved into executive session to have a discussion regarding security personnel and devices. No action was taken on that, but it was a very good discussion that we had regarding security issues for the City Council Chamber and other facilities. Hopefully we'll come back to Council with a report concerning that. As to item number 2, approval to submit a grant application for purchasing trauma informed training, equipment for CPD community centers, and case management software. We received a report as to how this is going to impact psychological trauma for first responders and others. It was a grant for \$35,000. That was approved unanimously. I think we've already voted on that in Ways and Means. Items 3, 4, 5, and 6 were all renewals or entering into a Memorandum of Understanding between the Charleston Police Department, and like number 3 was, the Drug Enforcement Administration, number 5 was with, I'm sorry. Let me back up. Number 3 was, just confirming an MOU with DEA on the Task Force. That was approved unanimously. Number 4 was the approval of a renewed Memorandum of Understanding regarding SROs and SRTs for the upcoming 2021-22 school year. We increased our number of officers to 18. Number 5 was an approval for a Memorandum of Understanding between the City and the use of the TD Arena and the Johnson Recreation Center for emergency events. The use for staging and other emergency events, knowing that the limitations on that do not qualify for certain storms. Number 6 was a Memorandum of Understanding between CPD and ATF relating to firearms trafficking and violent crimes. All of those were approved unanimously. That's my report."

Councilmember Mitchell said, "Second."

Mayor Tecklenburg said, "There was a motion to accept the report."

Councilmember Mitchell said, "I made a second. I seconded it."

Mayor Tecklenburg said, "We've got a motion and a second. Thank you. Any comments, questions, or discussion?"

No one asked to speak.

On a motion of Councilmember Shahid, seconded by Councilmember Mitchell, City Council voted unanimously to adopt the joint Public Safety Committee and Special Facilities Committee report as presented:

- a. Police Department: Approval to submit a grant application for the FY21 DOJ JAG Formula Grant for purchasing trauma informed training, equipment for CPD community centers and case management software. There is no match for this grant.
- b. Police Department: Approval of a renewal Memorandum of Understanding between CPD and the United States Department of Justice, Drug Enforcement Administration regarding CPD's participation in the DEA's Charleston Resident Office Task Force.
- c. Police Department: Approval of a renewal Memorandum of Agreement between CPD and Charleston County School District regarding SRO's for the 2021-2022 school year.
- d. Police Department: Approval of a Memorandum of Agreement between the City of Charleston and the College of Charleston for the use of the TD Arena and the Johnson Recreation Gym during emergency events.
- e. Police Department: Approval of a Memorandum of Agreement between CPD and the Bureau of Alcohol, Tobacco, Firearms and Explosives regarding CPD's participation in the ATF Task Force relating to firearms trafficking and firearms related violent crime.
- f. Executive Session pursuant to Section 30-4-70(a)(3) of the South Carolina Code for discussion regarding the development of security personnel or devices. **(No action taken.)**

Mayor Tecklenburg said, "Next up is our [Committee on Public Works and Utilities](#). Councilmember Waring."

Councilmember Waring said, "Mr. Mayor, the Committee on Public Works met yesterday at 4:00 p.m. Everything that you see on your agenda, Councilwoman and Councilmen, passed unanimously. I move for its adoption."

Councilmember Griffin said, "Second."

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

On a motion of Councilmember Waring, seconded by Councilmember Griffin, City Council voted unanimously to adopt the Committee on Public Works report as presented:

**a. Acceptances and Dedications of Rights-of-Way and Easements:**

- (i) Approval to notify SCDOT that the City intends to accept maintenance responsibility for 217LF of ten Ft. sidewalk and 182LF of granite curb along President St (S-10670) and 142 LF of twelve Ft sidewalk and 17 LF of granite curb along Cannon St. (S-10-1037) 6 street lights in conjunction with the project at 102 President Street.
- (ii) Approval to notify SCDOT that the City intends to accept maintenance responsibility concrete curbing and granite curb along 35 LF of granite curb along Spring St.

(US17S), 49 LF of granite curbing and 893 Sq. Ft. of five Ft. Sidewalk along Cannon St (US-17N) and 110 LF of granite curb along Vaughn St. (S10-229) in conjunction with the project at 194 Cannon Street.

- (iii) Approval to notify SCDOT that the City intends to accept maintenance responsibility for 134 LF of granite curb and 1 handicap ramp along St. Phillip St. (S-106) in conjunction with the project at the Simons Art Center- College of Charleston.
- (iv) **Pointe at Rhodes Crossing (TMS No. 286-00-00-001)**. Acceptance and dedication of exclusive stormwater drainage easement as shown on attached plat.
  - Exclusive Storm Water Drainage Easements;
  - Plat
- (v) **Windermere (43 Fenwick Drive) (TMS No. 421-11-00-005)**. Acceptance and dedication of exclusive stormwater drainage easement at 43 Fenwick Drive.
  - Exclusive Storm Water Drainage Easements;
  - Plat
- (vi) **Windermere (45 Fenwick Drive) (TMS No. 421-11-00-004)**. Acceptance and dedication of exclusive stormwater drainage easement at 45 Fenwick Drive.
  - Exclusive Storm Water Drainage Easements;
  - Plat
- (vii) **Windermere (41 Fenwick Drive) (TMS No. 421-11-00-006)**. Acceptance and dedication of exclusive stormwater drainage easement at 41 Fenwick Drive.
  - Exclusive Storm Water Drainage Easements;
  - Plat

**b. Stormwater Management Department Update:**

- (i) National Resources Defense Council survey work update
- (ii) Recommend Acceptance of a FEMA FMA grant award through SCDNR for acquisition and demolition of 2 residential flood damaged properties. The grant provides \$536,284.17 of funding to the City with a City funded match of \$30,754.83 from the Stormwater Drainage Fund.
- (iii) Recommend Award of the Construction Contract for the Drainage Outfall Improvement/Maintenance Project at Devonshire Drive and Byrnes Downs Outfalls to the low bidder ES Integrated for \$290,932.60. Funding is allocated from the 2021 SW Small Project Allocation.
- (iv) Recommend Award of the Construction Contract for the Coral Reef Drive Drainage Improvement Project to the low bidder IPW Construction Group, LLC for \$58,579.00. Funding is allocated from the 2021 SW Small Project Allocation.
- (v) Discussion on Church Creek Maintenance (Requested by Councilmember Harry Griffin)
- (vi) Update on Emergency Brick Arch Repairs

(vii) Glenn McConnell Widening and Lake Dotterer Culvert Update

Mayor Tecklenburg said, "Next is our [Audit Committee](#)."

The Clerk said, "That's just for information only. No action is needed on the Audit Committee."

Mayor Tecklenburg said, "No action is required on the Audit Committee. It was for information only. Next, we'll go right to our [Committee on Ways and Means](#)."

Councilmember Gregorie said, "Move for approval."

Councilmember Shealy said, "Second."

Mayor Tecklenburg said, "We've got a motion to approve."

Councilmember Gregorie said, "With amendments, Mr. Mayor."

Mayor Tecklenburg said, "Please note that I was recused on the first item on the Real Estate Committee."

Councilmember Seekings said, "That item failed to pass."

Mayor Tecklenburg said, "That item failed to pass. Any questions or comments?"

No one asked to speak.

On a motion of Councilmember Gregorie, seconded by Councilmember Shealy, City Council voted unanimously to adopt the Ways and Means report as amended:

(Bids and Purchases

(Parks Department: Approval to deposit the 2021 AARP Community Challenge Grant Award in the amount of \$12,000 for use in landscaping improvements to Hampstead Mall Park. No City match is required.

(Planning, Preservation and Sustainability/Business Neighborhood Services: Approval of a Resolution committing the City to provide a program fee in the amount of \$7,000 to the Municipal Association of SC Retail Recruitment Training Program in partnership with the Retail Coach if the City is accepted into the program and supporting that application.

(Planning, Preservation and Sustainability: Approval to extend the IGA between the City of Charleston, Town of James Island, Charleston County, and Folly Beach for consulting services and the implementation of Rethink Folly Road recommendations. The original agreement was for three years (one-year terms). The extension is for an additional five months due to COVID delays. There is no additional funding request beyond what was budgeted with the original agreement.

(Office of Cultural Affairs: Approval to apply for a grant in the amount of \$100,000 from the National Endowment for the Arts for additional operating support through the American Rescue Plan. No City match is required.

- (Office of Cultural Affairs: Approval to apply for a grant in the amount of \$25,000 from the National Endowment for the Arts for a public concert in celebration of the Fourth of July. The grant application was submitted on July 20, 2021, as access to the NEA online portal was limited to a timeframe that fell after the agenda had been set for City Council's July meeting. A 1:1 City match is required. Funds will come from corporate sponsorship and private donations.
- (Office of Cultural Affairs: Approval to accept a grant in the amount of \$2,750 from SC Humanities to support the Free Verse Poetry Festival (10/15/2021 to 11/15/2021). A 1:1 City match is required for this grant. Funds have already been secured through private donations.
- (Office of Cultural Affairs: Approval to accept a grant in the amount of \$5,505 from SCPRT's Tourism Advertising Grant program for Festival advertising (7/1/2021 to 6/30/2022). Due to COVID-19, no City match is required for the FY22 SCPRT TAG grant program, per attached email.
- (Stormwater Management: Approval to award a contract to the low bidder ES Integrated for Drainage Outfall Improvement and Maintenance Work at Devonshire Drive and Byrnes Down in the amount of \$290,932.60. Funding is allocated from the 2021 SW Small Project Allocation. The \$290,932.60 is available in the Stormwater Utility Budget.
- (Stormwater Management: Approval to award a construction contract to the low bidder IPW Construction Group, LLC in the amount of \$56,579 for the Coral Reef Drive Drainage Improvement Project. Funding is allocated from the 2021 SW Small Project Allocation. The \$56,579 is available within the Stormwater Operations Budget.
- (Stormwater Management: Approval to enter into an agreement and accept a grant award from FEMA-FMA for acquisition and demolition of 2 residential flood damaged properties through SCDNR for \$536,284.17 with \$30,754.83 of City matching funds from the Stormwater Drainage Fund. The \$30,754.83 is available within the Stormwater Drainage Fund.
- (Police Department: Approval to submit an application for the FY21 Justice Assistant Grant formula grant for \$35,576 for trauma informed training, equipment for CPD community outreach centers, and case management software. This is an after-the-fact approval. This application is due on August 16. There is no match required for this grant.
- (Police Department: Approval of attached MOU with the Drug Enforcement Administration for CPD's participation in joint operations.
- (Police Department: Approval of attached Memorandum of Agreement between CPD and Charleston County School District regarding SRO's for the 2021-22 school year.
- (Police Department: Approval of attached Memorandum of Agreement between the City of Charleston and the College of Charleston for use of the TD Arena and Johnson Recreation gym during emergency events.
- (Police Department: Approval of an MOU between CPD and ATF regarding CPD's participation in ATF Task Force relating to trafficking of firearms and firearms related violent crime.
- (External Auditor's Report (Information only)
- (Request approval of a Purchase and Sale Agreement between the City of Charleston and Shipyard Creek Associates, LLC for the purchase of 10.08 acres of property located at 2001 Sewanee Road, North Charleston, South Carolina. (TMS No. 466-0000-009) for a purchase price of \$6,180,000 and Assignment

and Assumption of Lease Agreement between Shipyard Creek Associates, LLC and Boasso American Corporation. **(DENIED)(Mayor Tecklenburg recused himself from voting on this matter and completed a Conflict of Interest form which is on file in the Office of the Clerk of Council.)**

(Request approval of a License Agreement with Tour Management Services, Inc. for the Carolina Belle to operate out of the Charleston Maritime Center. The License Agreement is for an initial one-year term with two additional one-year renewal options.

(Request approval of a 5-year Lease and Facilities Use Agreement between the City and The Charleston Stage Company, Inc. for the Dock Street Theater. The Lease Agreement includes the lease of existing office space on the third floor of the theater as well as license and use terms and conditions for use of the theater for performance and technical days.

(Request approval of the 1st Amendment to the Management and Operating Agreement between the City of Charleston and the Charleston Area Convention and Visitors Bureau as it relates to the Visitors Center, Bus Shed, Best Friend Train Museum, John Street Parking and VRTC Meeting Street Parking Lot.

(Request that the City of Charleston City Council authorize the Mayor to execute the necessary document for the City's transfer of the parcel of land fully described above to the Charleston Redevelopment Corporation. The property will be redeveloped as rental workforce housing. (All that certain, piece, parcel, or tract of land, situate, lying, and being in the City of Charleston in Charleston County, State of South Carolina, containing approximately 0.31 of an acre, as shown on the South Carolina Department of Transportation Highway Plans for Route I-26 under File 10.517, sheet 9, and being a portion of right of way for US Route 17, further shown on Exhibit A, attached hereto and made a part hereof. Said property being bounded on the North by US Route 17 (King Street Off-Ramp), on the South and East, by US Route 17 (SB) and on the West by intersection of Road L-65B (Fishburne Street) and Road S-553 (Coming Street). This being a portion of the right of way acquired by the South Carolina Department of Transportation for Route I-26 under File 10.517 from Anna E. Stoeson by Title to Real Estate dated March 8, 1963 (Tract 105), Mona Sokol by Title to Real Estate dated March 13, 1963 (Tract 107), Georgette Holmes Gilcrest by Title to Real Estate date April 11, 1963 (Tract 108), and Fannie A. Patrick by Title to Real Estate dated November 24, 1965 (Tract 126), and being filed in the South Carolina Department of Transportation Deed Vault in Columbia, South Carolina under 10.517) [Ordinance]

(Request approval of Memorandum of Understanding between City of Charleston and Landmark Enterprise for Sumar Street Redevelopment Phase One. (TMS No. 352-0800-006) (14 Sumar Street) (To be sent under separate cover by the Legal Department)

(Please consider the following annexation:

- 233 Riverland Drive (0.27 acre) (TMS# 343-05-00-029), James Island, (District 11). The property is owned by Alex Lira.

First reading was given to the following resolution and bills from Ways and Means:

*A Resolution committing the City to provide a program fee in the amount of \$7,000 to the Municipal Association of SC Retail Recruitment Training Program in partnership with the Retail Coach if the City is accepted into the program and supporting that application.*

*An ordinance authorizing the Mayor to execute on behalf of the City of Charleston ("City") a Transfer Agreement and all other documents necessary to convey real property, containing approximately 0.31 acres, shown on the attached exhibit, and being a portion of the right-of-way for US Route 17 (the Septima P. Clark Parkway), bounded on the north by US Route 17 (King Street off-ramp), on the south and east by the Septima P. Clark Parkway (US Route 17) (SB), and on the west by the intersection of Fishburne Street and Coming Street for the development of rental workforce housing to the Charleston Redevelopment Corporation's Palmetto Community Land Trust.*

*An ordinance to provide for the annexation of property known as 233 Riverland Drive (0.27 acre) (TMS# 343-05-00-029), 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 Alex Lira.*

Mayor Tecklenburg said, "Now we have [bills up for second reading](#)."

Councilmember Seekings said, "Move for approval items 1-12."

Mayor Tecklenburg said, "We do have a couple of deferral requests. Which were the numbers, Madam Clerk?"

The Clerk said, "Five and six."

Mayor Tecklenburg said, "Five and six, we have a request for deferral, so you could take items 1-4 and then 7-12 together. Is that acceptable?"

Councilmember Mitchell said, "Move for approval, those items."

Mayor Tecklenburg said, "Alright. And we have a second?"

Councilmember Shahid said, "Second."

Mayor Tecklenburg said, "Any discussion on any of that?"

No one asked to speak.

On a motion of Councilmember Mitchell, ten (10) bills (Items L-1 through L-4 and Items L-7 through L-12) received second reading. They passed second reading on motion by Councilmember Shahid and third reading on motion of Councilmember Griffin. On further motion of Councilmember Mitchell, the rules were suspended, and the bills were immediately ratified as:

**2021-112- AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY KNOWN AS 2147 AND 2151 RIVER ROAD (APPROXIMATELY 4.78 ACRES) (TMS# 315-00-00-110; 315-00-00-048), JOHNS ISLAND, CHARLESTON COUNTY, TO THE CITY OF CHARLESTON, SHOWN WITHIN THE AREA ANNEXED UPON A MAP ATTACHED HERETO AND MAKE IT PART OF DISTRICT 5. THE PROPERTY IS OWNED BY ABBI LAKE BECKFORD.**

- 2021-113-** AN ORDINANCE TO AMEND ARTICLE 8 (SUBDIVISION, PROPERTY LINE ADJUSTMENT OR ABANDONMENT), PART 3 (SUBDIVISION DESIGN STANDARDS), SECTION 54-821 (STREET DESIGN STANDARDS) OF CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) AND ADD REQUIREMENTS FOR ON-STREET PARKING IN NEW SUBDIVISIONS.
- 2021-114-** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 420 ARLINGTON DRIVE (A PORTION) (WEST ASHLEY) (APPROXIMATELY 0.25 ACRE) (TMS #310-12-00-083) (COUNCIL DISTRICT 5), PENDING ANNEXATION INTO THE CITY OF CHARLESTON, BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION. THE PROPERTY IS OWNED BY OLIVIA L. VEDAD.
- 2021-115-** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 2147 AND 2151 RIVER ROAD (JOHNS ISLAND) (APPROXIMATELY 4.78 ACRES) (TMS #315-00-00-110 AND 048) (COUNCIL DISTRICT 5), PENDING ANNEXATION INTO THE CITY OF CHARLESTON, BE ZONED RURAL RESIDENTIAL (RR-1) CLASSIFICATION. THE PROPERTY IS OWNED BY ABBI L. BECKFORD.
- 2021-116-** AN ORDINANCE TO AMEND CHAPTER 28, ARTICLE III, OF THE CODE OF THE CITY OF CHARLESTON, BY AMENDING SECTION 28-45 RELATED TO PROMOTION OF CIVIL SIDEWALKS, TO PROVIDE A PROHIBITION ON SITTING OR LYING UPON PROPERTY ADJACENT TO A PUBLIC SIDEWALK SUCH THAT ANY PART OF THE PERSON'S BODY OR PERSONAL EFFECTS ARE ON A PUBLIC SIDEWALK; TO CLARIFY THAT THE PROHIBITION APPLIES TO MARKET STREET BETWEEN KING AND EAST BAY STREETS; REMOVING THE REQUIREMENT THAT A PERSON BE WARNED BEFORE BEING CITED; AND EXTENDING THE TRESPASS PROVISION FROM 60 DAYS TO 6 MONTHS.
- 2021-117-** AN ORDINANCE TO AMEND CHAPTER 19, ARTICLE XVI, OF THE CODE OF THE CITY OF CHARLESTON RELATED **TO REPLACE THE WORD "RICKSHAWS" WITH "PEDICABS,"** TO PROVIDE FOR ADDITIONAL NIGHT TIME OPERATING DECALS, AND TO PROVIDE A TERM FOR RENEWALS OF OPERATING DECALS. **(AS AMENDED)**
- 2021-118-** AN ORDINANCE TO ADOPT THE MOST RECENT VERSION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE, AND ANY SUBSEQUENT VERSIONS, REGULATING AND GOVERNING THE CONDITIONS OF MAINTENANCE OF ALL PROPERTY, BUILDINGS AND STRUCTURES; BY PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL THINGS AND CONDITIONS ESSENTIAL TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE; AND THE CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE, AND THE DEMOLITION OF SUCH EXISTING STRUCTURES IN THE CITY OF CHARLESTON; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; REPEALING AND

REPLACING THE 1997 EDITION OF THE STANDARD HOUSING CODE. **(AS AMENDED)**

**2021-119-** AN ORDINANCE TO RECOGNIZE THE REPEAL OF THE INCREASE IN PROPERTY TAX MILLAGE PREVIOUSLY APPROVED IN THE 2021 BUDGET AND TO REPLACE IT WITH AMERICAN RESCUE PLAN ACT FUNDING TO MEET THE APPROPRIATIONS AUTHORIZED BY ORDINANCE 2020-175 FOR THE FISCAL YEAR ENDING DECEMBER 31, 2021.

**2021-120-** AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE ON BEHALF OF THE CITY AN ELECTRICAL EASEMENT, APPROVED AS TO FORM BY THE OFFICE OF CORPORATION COUNSEL, TO DOMINION ENERGY SOUTH CAROLINA, INC., ENCUMBERING A PORTION OF THE CITY'S REAL PROPERTY DESIGNATED AS CHARLESTON COUNTY TMS NO. 459-00-00-242.

**2021-121-** AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY KNOWN AS 109 MAGNOLIA ROAD (0.13 ACRE) (TMS# 418-13-00-132), 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 3. THE PROPERTY IS OWNED BY DARREN FINAN.

Mayor Tecklenburg said, "Now we have a couple of [bills up for first reading](#)."

Councilmember Seekings said, "So moved."

Mayor Tecklenburg said, "We've got a motion to approve number 1, which is the ordinance related to cemeteries to add certain provisions for gravesite protection and to provide penalties. We've got a motion and a second."

Councilmember Mitchell said, "Second."

Mayor Tecklenburg said, "Do we have any discussion or questions about that item?"

Mayor Tecklenburg recognized Councilwoman Delcioppo.

Councilwoman Delcioppo said, "Would you all mind indulging me on this please? I just want to thank City staff. There's been a lot of work done on this. The Preservation Society of Charleston, the Coastal Conservation League, Grant Mishoe, who many of us know, and especially my residents, who made me aware of how profound this issue is of burials being threatened by development and renovation. I've learned so much through this process. I just can't emphasize how important it is, and I know that through various discussions, maybe this hasn't gone far enough. What I want to emphasize is this is kind of our first step in a longer term strategy. My goal is that we will have other mapping and an inventory so we can better help guide development and renovation in a way that's much more respectful. I know, personally, I am committed to keeping this work moving forward. It's just that important to me and so near and dear. I think the biggest thing is those folks resting here deserve respect, their families deserve respect, and it's no secret that this disproportionately affects African-American burial sites.

Grant Mishoe said something to me that was very profound. I'm probably going to botch it, but he said these people were enslaved in life, and now they're enslaved in death because

they're constantly under threat of being bulldozed, which is just absolutely devastating. None of us would want that for our families, and there's no way, under my watch, it's going to happen to somebody else's family. These people should be able to enjoy where they're resting and enjoy their families coming to visit them. So I appreciate folks' support on this tonight and especially support as we move forward and see some other things in this City that we can do to help continue to protect these precious sites. Thank you."

Mayor Tecklenburg said, "Thank you, Councilwoman Delcioppo. Thank you for your leadership on this issue. I appreciate that. Any other comments or questions for number 1?"

No one asked to speak.

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

*An ordinance to amend Chapter 7.5 of the Code of the City of Charleston related to cemeteries to add certain provisions for gravesite protection and to provide for penalties.*

Mayor Tecklenburg said, "Before we go to item 2, Madam Clerk asked me to please ask you to officially defer items five and six that were up for second reading."

Councilmember Mitchell said, "Move to defer items five and six."

Councilmember Shahid said, "Second."

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

On a motion of Councilmember Mitchell, seconded by Councilmember Shahid, City Council voted unanimously to defer Items L-5 and L-6 on the agenda:

*An ordinance to provide for the annexation of property known as 1349 Ashley River Road (approximately 0.28 acre) (TMS# 418-05-00-002), West Ashley, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 7. The property is owned by Graphic Glamour Holdings LLC. (DEFERRED)*

*An ordinance to provide for the annexation of property known as 1351 Ashley River Road (0.25 acre) (TMS# 418-05-00-001), West Ashley, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 7. The property is owned by Shubh Labh of Charleston LLC. (DEFERRED)*

Mayor Tecklenburg said, "Now to the second bill up for first reading."

Councilmember Mitchell said, "Move for approval."

Councilmember Waring said, "Second."

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

Mayor Tecklenburg recognized Councilmember Appel.

Councilmember Appel said, "Mr. Mayor, I would respectfully request that we amend the motion to defer this matter. Mr. Elmore from the Animal Society, an extremely well-respected organization, reached out to me and said he understood what kind of meeting we were going to have tonight. They can mobilize half a hundred people in a heartbeat. He refrained from doing that as a courtesy to us and respectfully requested we defer this item so it can be more fully considered, perhaps at a less involved meeting. I think that's a reasonable request, and I think we should defer this item. Thank you."

Mayor Tecklenburg said, "Is there a second?"

Councilmember Waring said, "Second."

Mayor Tecklenburg said, "We have a motion to defer and a second, which takes precedent over the motion. Would anyone like to discuss the issue of deferring?"

Mayor Tecklenburg recognized Councilmember Mitchell.

Councilmember Mitchell said, "Mr. Mayor, I might support this, but it seems like every year this comes up with the horses and carriages. Ever since I was on Council, every year they come after the horses and carriages. I don't know when we're going to get to the point where, you know, we just let them go. I know they're not going to let the horses get hurt because that's their money maker. Three years ago, they took me around to all the farms on Johns Island where the horses were staying. You should see the way they keep those horses, well kept, better than some places I've lived. They're not going to let those horses run wild or hurt those horses because that's their money maker. Every year we have this problem. Someone comes up to say, 'oh, they need to do this, or they need to do that, or they're not taking care of the horses, it's too hot outside.' They're not going to abuse these animals like that. I don't know what's going on, but I might support the deferral this time. I hope they don't come back again the next year if I'm here."

Mayor Tecklenburg said, "Well, thank you for that comment. In fact, a whole division of our whole ordinance was brought forward a little over a year ago, and what we have tonight is a result of a long series of meetings, subcommittees, and a commission. It's been scrutinized pretty thoroughly, but the motion is to defer, so if we don't want to take the matter up tonight, we'll defer it if you would like to. I'm going to vote against the deferral, myself. I'd just sooner deal with it myself and resolve it. The motion on the floor is to defer. Are there any further comments or questions on the motion?"

On a motion of Councilmember Appel, seconded by Councilmember Waring, City Council considered deferring Item M-2 on the agenda. The motion failed 9 to 4. Councilmembers Waring, Appel, Jackson, and Mayor Tecklenburg voted in favor of the motion.

Mayor Tecklenburg said, "We'll do a roll call."

The Clerk said, "Councilwoman Delcioppo."

Councilwoman Delcioppo said, "Nay."

The Clerk said, "Councilmember Shealy."

Councilmember Shealy said, "Nay."

The Clerk said, "Councilmember Sakran."

Councilmember Sakran said, "Nay."

The Clerk said, "Councilmember Mitchell."

Councilmember Mitchell said, "I'll say nay."

The Clerk said, "Councilmember Brady."

Councilmember Brady said, "Nay."

The Clerk said, "Councilmember Gregorie."

Councilmember Gregorie said, "Nay."

The Clerk said, "Councilmember Waring."

Councilmember Waring said, "I seconded the motion, so I'll say aye."

The Clerk said, "Councilmember Seekings."

Councilmember Seekings said, "Nay."

The Clerk said, "Councilmember Shahid."

Councilmember Shahid said, "Nay."

The Clerk said, "Councilmember Griffin."

Councilmember Griffin said, "Nay."

The Clerk said, "Councilmember Appel."

Councilmember Appel said, "Yea."

The Clerk said, "Councilwoman Jackson."

Councilwoman Jackson said, "Aye."

The Clerk said, "Mayor Tecklenburg."

Mayor Tecklenburg said, "Yes."

The Clerk said, "The motion fails."

Mayor Tecklenburg said, "The motion fails, so we will consider the matter. Let's ask Dan Riccio, who's the head of Livability and Tourism Management, to give us a report on the changes that are envisioned here."

Mr. Riccio said, "I'll be brief. Thank you. Just to indulge everyone, over a year of work went into this with staff, communication with both the Animal Society and their attorney for an entire year, and also the carriage industry. The advocates proposed an ordinance that, in our mind, needed further vetting. It was a wish list that they had wanted to be reviewed by City Council. We respectfully reviewed the entire ordinance, 12 pages of it, along with Mallery Scheer and five staff members during COVID, and for several months worked on the ordinance to where you see it today. Just to include emergency procedures, safety equipment not only for the carriage, but for the animal themselves, and mandatory training requirements by the carriage drivers that is conducted by the industry themselves and presented to the City upon request. With that said, it was so comprehensive it was vetted through three different committees over a three-day period and then went to full Commission. It was voted negatively on most of them and reworked to what you have today. Both sides had the opportunity for the last four months of this process to get it down to where we are today. What I'm trying to explain to you is you can't beat a dead horse. This is as far as it goes, and you can't make any more changes. The industry agrees, and I've had no comments aside from what Mr. Elmore said, who came here tonight, and wanted to defer it. With that said, I would appreciate passage of it."

Mayor Tecklenburg said, "Thank you, sir. Thank you for your due diligence on all of this, Dan Riccio. Any comments or questions from Council? I thought we had a motion on the floor."

The Clerk said, "I think Councilmember--"

Mayor Tecklenburg said, "If not, I'll entertain a motion."

Councilmember Shahid said, "Move for approval."

Councilmember Brady said, "Second."

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

Councilmember Shealy said, "Second."

Mayor Tecklenburg said, "Any discussion or questions?"

No one asked to speak.

Mayor Tecklenburg recognized Councilwoman Delcioppo.

Councilwoman Delcioppo said, "I would like when this comes back for second reading if it passes first reading tonight, to amend the motion that we include in here that the Director of Livability is to report out to the Tourism Commission any time a closure does need to be issued for the carriages. I think this is just a good system of checks and balances that helps everyone on all sides better understand what's going on and to have that on record. Dan has said he's more than willing to do that, but if we don't have the benefit of Dan forever, I would like to make sure that this lives on."

Councilmember Shealy said, "I second that."

Mr. Riccio said, "I totally agree. We went ahead with it as a policy procedure, but I understand that concern in the future. I have no problem with that motion."

Mayor Tecklenburg said, "That will be an amendment though made at second reading, correct?"

Councilmember Griffin said, "She can just do it now."

Councilwoman Delcioppo said, "Yes, make it now."

Councilmember Shealy said, "Second."

Mayor Tecklenburg said, "You want to make it now?"

Councilwoman Delcioppo said, "Yes."

Mayor Tecklenburg said, "Okay. Who made the motion? Councilmember Shahid, will you accept that amendment?"

Councilmember Shahid said, "I accept the amendment."

The Clerk said, "I think, technically, there was a motion that was already on the floor that was made by Councilmember Mitchell and it was seconded by--"

Councilwoman Delcioppo said, "I'm sure I messed up. I'm not Councilmember Brady, where I'm an expert on parliamentary procedure."

There was laughter.

Mayor Tecklenburg said, "I'm getting confused."

The Clerk said, "Before Councilmember Shahid and Councilmember Brady made a motion and second to the motion, there was already a motion on the floor, before they took up the deferral, that was made by Councilmember Mitchell, and I believe the second was, it--"

Mayor Tecklenburg said, "Okay, I see. So, Councilmember Mitchell, you need to accept the amendment."

Councilmember Mitchell said, "To admit it, I don't remember making a motion."

Mayor Tecklenburg said, "I think you made the motion to approve prior to our discussion about the deferral. I forgot, too. There was already a motion on the floor. We didn't need another one. So, we have an amended motion now. This is just first reading. Councilmember Appel, Mr. Elmore is welcome to still advocate and come back for further amendments. This doesn't exclude him from doing that. I want to make that clear. Any further discussion?"

No one asked to speak.

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

*An ordinance to amend Chapter 29, Article V of the Code of the City of Charleston pertaining to the carriage operations, emergency procedures, training, safety, carriage driver requirements, definitions, and compliance. (AS AMENDED)*

Mayor Tecklenburg said, "The next regular City Council meeting will be Tuesday, September 14, 2021. We know we're not meeting in City Council Chamber, but we will have to advise you on where we will be meeting because we haven't determined that yet. We'll let you know soon. Thank you, everybody, for your patience."

There being no further business, the meeting adjourned at 10:37 p.m.

Jennifer Cook  
Clerk of Council