

## COUNCIL CHAMBER

Regular Meeting

February 26, 2019

The seventieth meeting of the City Council of Charleston was held this date convening at 5:29 p.m. at City Hall.

A notice of this meeting and an agenda were mailed to the news media February 20, 2019 and appeared in The Post and Courier February 24, 2019 and are made available on the City's website.

### PRESENT (13)

The Honorable John J. Tecklenburg, Mayor

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

Mayor Tecklenburg called the meeting to order at 5:29 p.m.

The Clerk called the roll.

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

Councilmember Gregorie opened the meeting with an invocation.

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

Mayor Tecklenburg said, "If I may begin with a little public safety notice, in the most unlikely event that we would need to evacuate the building, do not use the elevator. We have these two exit doors here and then one over from the room to my right and the two stairways going downstairs, and then the one stairway going out. So, it's very unlikely, but if we would need to leave the building, that is the way out.

Now, first I'd like to have a short proclamation recognizing this being Women in Construction Week. Is Janet Bates here this evening? Please come forward. She is the President of the Local Chapter of the National Association of Women in Construction, which is not new, but--."

Janet Bates said, "Pretty new."

Mayor Tecklenburg continued, "Pretty new."

Mayor Tecklenburg read the proclamation.

---INSERT PROCLAMATION---

Mayor Tecklenburg said, "We thank you for your leadership, Ms. Janet, and I present you this proclamation. Would you like to say short remarks to the Council?"

Ms. Bates said, "Thank you so much. Thank you very much. Our Chapter was officially chartered in August of last year with 49 members, and we have grown substantially to 70 members as of today. We are now the largest Chapter in the South Atlantic Region of the National Association of Women in Construction. The women are powerful, and they have a voice in this community that is unceasing. They are very excited to be part of finding a solution for our industry's labor problems by encouraging young women and boys to get involved with our industry. As early as elementary school, they are teaching them about the opportunities, the plethora of opportunities, that they have by joining us. So, thank you. I really appreciate this. Thank you."

Mayor Tecklenburg said, "Terrific."

There was applause in the Chamber.

Mayor Tecklenburg said, "I want to shout out to Ruth Jordan, our Minority Business and Women Enterprise Facilitator. She has been working with this group, and I also point out to Council that you all are invited. We, as a City, help sponsor the Black Business Expo, which is this weekend. Do you want to share a comment about that, Ruth?"

Ruth Jordan said, "Again, congratulations to the Women in Construction. I was their key note speaker for that chartered event, such a great, great group. The Black Expo is going to be March 8<sup>th</sup> and 9<sup>th</sup>, and it's going to be an exciting time here in Charleston. We're expecting about 10,000 to 15,000 people to go through the expo. It starts with the Taste of Charleston at the Aquarium on Friday, March 8<sup>th</sup>. Then, on March 9<sup>th</sup>, it will be the Business Expo. They have five pillars to include education, health, community involvement, and business entrepreneurship. So, we're asking all of you to support the Black Expo for its 20<sup>th</sup> year here in the City of Charleston and, again, thank you."

Mayor Tecklenburg said, "Terrific. So, next I have the really distinct honor to introduce to Council and to our citizens some very special guests to the City of Charleston this week. If you would come forward as I call your name, Commander Chris Brusca, Commander James Hoey, Command Master Chief Weba Roberts, and Lieutenant Roman Metzger. I'd also like to ask retired Captain Pat Keveaney, who is the Chair of the Commissioning Committee and President of the Local Navy League because this Saturday at 10:00 a.m. at the Columbus Street Terminal in Charleston will be the commissioning of the sixth vessel that has held the name of the USS Charleston in the US Navy, and we're so proud of that. We're honored to have you all here with us tonight. I'm going to read yet another proclamation that I will share with you and then ask Commander Brusca if you would like to make some remarks. This is a little lengthy, but it's really some great historical information that I think everyone would enjoy."

Mayor Tecklenburg read the proclamation.

---INSERT PROCLAMATION---

There was a standing ovation in the Chamber.

Mayor Tecklenburg said, "So, I'll just further share that Sandy and I were blessed to be able to go to Mobile, Alabama, along with Councilmember Wagner and former Mayor Riley and

his wife, Charlotte, who is the sponsor of the ship. Each ship has a sponsor and, boy, Charlotte really broke that champagne across the bow of that ship. You would be amazed how that petite lady was able to crack that bottle, but when you're standing underneath this vessel before it got put in the water, it is amazing. This is an amazing vessel, and it's really fascinating. It doesn't have the big propellers on the back of it. It is jet propelled, and it's like a giant jet ski on steroids. It is an amazing piece of technology, and we had the pleasure of meeting Commander Chris Brusca. I'm going to call him forward to give us some remarks, Commander."

Commander Chris Brusca said, "Thank you very much. Wow! Every time I see that Crest broken out into something big like that, it still gives me goose bumps because it was about two years ago when my XO and Master Chief, standing to my left, sat down in a room and started trying to figure out what we wanted our Crest to look like. After several iterations, this is what we decided, and it still hits me today and gives me goose bumps when I look at it. So, I am biased, I admit, but I still think it's the best Crest in the Navy."

There was laughter in the Chamber.

Commander Brusca continued, "It just looks awesome. Well, thank you, Mayor, and Councilmembers and to the City representatives who were also able to make it tonight. Thank you for coming and for the proclamation. It was about a year-and-a-half ago, just like the Mayor said, we were in Mobile, Alabama christening the ship and I still have the smell of champagne on my uniform. It doesn't come off very easily and there is a process in place in where a ship gets to be commissioned. It would seem very obvious that the ship with a namesake of a City on a coast would get commissioned in that city, but it isn't quite automatic like that. So, we had to make a request, and the person who approves that request is the Secretary of the Navy. Now, the current Secretary was just appointed shortly before he came out to Mobile. So, we were his first christening that he had attended. So, the Mayor and I took advantage of him being a little naïve, and we walked up and said, 'Hey, Mr. Secretary, we want to make sure we can commission the ship in Charleston. Doesn't that make a lot of sense?' He said, 'It sure does to me.' We said, 'Great, that's where we're going to do it.'

There was laughter in the Chamber.

Commander Brusca continued, "So, we sent the formal request off anyway, but that was more of just a formality. I'll tell you, the Mayor and I ganged up on him while he was there and took advantage. The Secretary is coming himself. He wanted to make sure he came to this commissioning, so we're really excited to have him. I look forward to all of you coming out and getting a tour onboard the ship on Saturday. There will be a big crowd to get in the line, and you will come see the ship that's named in your honor, and I couldn't be more proud to be the commanding officer of that ship. So, thank you very much."

There was applause in the Chamber.

Mayor Tecklenburg said, "Commander, while you're here this week, you may want to see the town a little bit, and so, I have for you a key to the City of Charleston. While you're here, it will open all of our doors."

There was applause in the Chamber.

Mayor Tecklenburg said, "Pat came up, but I've got to tell you that the Commissioning Committee has put so much time and effort into making this all possible at a local area. I want to recognize and ask for a round of applause for Captain Keveaney, as well. Pat, thank you."

There was applause in the Chamber.

Captain Pat Keveaney said, "There were a lot of people that have been involved all along."

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

Captain Keveaney said, "Thank you."

Mayor Tecklenburg said, "I don't know if you noticed also in the Crest, but they have a motto for the ship. They did a variation of the State motto of South Carolina which is in Latin on our State Seal *dum spiro spero* 'While I breathe, I hope'. Given the nature of the business that they're in, the motto of the Crest of the USS Charleston is, 'While we breathe, we fight.'

Next, I'd like to call forward a number of students who attend the Early College High School here in Charleston. If you all would just come forward along with your representatives from your school and join me back behind myself. We've got a whole bunch of students here. Also representing the faculty is Vanessa Denney, Benjamin Flo, Carol Green, Daniel Parks, Melanie McDonald, and Rhiannon Rainsford. The students we have by name, and if you all don't mind, we'll call your names out when we give out the certificates. So, for those of you who may not know, the Early College High School is a Charleston County School District school. Its program is based at the Trident Technical College Palmer Campus on the Eastside of Charleston. Students from high schools all over the County are eligible to attend. They're able to access classes at Trident Tech and take what they call Dual Enrollment Classes and have the ability to graduate high school with an Associate's Degree, a College Degree as well. This is the first time in Charleston that this program has been done. It just started last year, so I believe most of these students are Sophomores. Isn't that correct?"

Many students nodded their heads yes.

Mayor Tecklenburg continued, "So, they add another class every year, and in two more years, they will have a full contingent of four grades in the Early College High School. The City has been fortunate to partner with the Early College High School, and we've had other guest speakers, myself, several of our Councilmembers have gone. We've brought students to various cultural spaces throughout the community and provide an understanding of the local government and opportunities to engage in the community. Tonight, these students are here because they all made the Trident Tech Dean's List. They're in high school, but they made the Trident Tech Dean's List."

There was applause in the Chamber.

Mayor Tecklenburg continued, "Yes, we're very proud of them. So, this means, of course, that they've done a remarkable job excelling at college level courses and have done a remarkable job as High School Sophomores starting their college career off early. You should all be proud of your accomplishments, and it has been a pleasure for the City to partner with you. A special thanks to staff members John Mitchell and Mindy Sturm who have led our partnership with the Early College High School. I know all of you will continue to excel and exceed, and we look forward to opportunities we will have in the future to work with you. At this point, I'm going to call and ask John Mitchell if he would call out everybody's name who has a certificate and you all would just walk over and get your certificate from John."

John Mitchell, Special Projects Assistant to the Mayor, said, "Lillian Avery, Tyler Baize, Taty'ana Brown, Eric Center, Wylene Cortez, Lauryn Daley, Jaelin Ervin, Ruby Fabre, Carlotta Garcia-Torres, Adrian Lockwood, Deon Nunn, Alexis Pinckney, Danyen Richardson, Jack Rowe, Ellie Salzer, Koby Shipman, and Erin Spindt."

Mayor Tecklenburg said, "Would the Principal or somebody from the school like to share a few remarks with us about the school?"

Principal Vanessa Denney said, "Sure. I'm actually not the best person to do that. Koby, come on up. Do you want to share some remarks about early college with somebody else? I know Tyler will."

Mayor Tecklenburg said, "You're on. Come on."

Principal Denney said, "Talk about your experience when you came in as a Freshman and what you've learned."

Koby Shipman said, "So, it's been a long journey. We started all off as Freshmen. We made a bond together, and so far we've made it through these college classes together, as well. We help each other out in classes, and we have little study groups. That's all I really have to say."

There was laughter and applause in the Chamber.

Mayor Tecklenburg said, "Well, I'm just going to add that I believe the Early College High School is a premier example of not just workforce, but career development and getting kids ready for college. It's the best example we have in Charleston County. I know, from time to time, we have to deal with the challenges of our school system, that there are still challenges and problems out there, but there are a lot of good things happening, as well. We have to celebrate those things, and these young men and women are a cause for celebration that our system can work."

There was a standing ovation in the Chamber.

Councilmember Moody said, "Mr. Mayor."

Mayor Tecklenburg recognized Councilmember Moody.

Councilmember Moody said, "I won't call the name, but one of these young ladies up here was involved recently in a multi-day, and it's still an ongoing, shared future project. I didn't know her before, and I got to meet her, got to work with her, and she is incredible. I just tell you that we're in good shape. We have these kids going forward, and I know every single one of your parents and your teachers are proud of you, and so are we. So, anyway, thank you."

Mayor Tecklenburg said, "I wonder who that is."

There was applause in the Chamber.

Mayor Tecklenburg said, "I do like to recognize when former Councilmembers are in the house. We have with us tonight, I understand, Legare Ellington. Legare, are you here? There you are."

There was applause in the Chamber.

Mayor Tecklenburg continued, "He is a former Councilmember. I just want to welcome you back to the house, Mr. Ellington. Thank you for being with us. I guess we'll wait just a minute to clear a little traffic."

So, next we have, I think, six public hearings that have been advertised. The first one is an ordinance regarding a zoning change for 1004 Physicians Drive. Mr. Morgan will explain each item as they come forward. Anyone from the public that would like to address the issue is welcome to come forward. We ask that you keep your remarks to two minutes, please, during these sessions. Mr. Morgan."

Christopher Morgan said, "Thank you, Mr. Mayor and members of Council. So, this is a property, as the Mayor said, at 1004 Physicians Drive. It's actually between three different streets, Savage Road, Henry Tecklenburg Drive, and Physicians Drive to the northwest, and it is a vacant piece of property. We have some images here, an aerial image. It's been exclusively office up to this point on Physicians Drive, and it was zoned that way in the General Office District, and you can see some of the images of the site. This is across the street, an SCE&G substation and then another office across the other street there, and further back behind it on Physicians Drive. The request is to rezone from that General Office which this area was originally envisioned to develop as to a CT District or Commercial Transitional, which is our most limited, more open, Commercial District. It would allow for a restaurant. It still would allow for offices, and staff has analyzed this and realized that this is an area of town, particularly around the hospital, that could use some other services, in addition to just the offices that are there. So, having that diversity of uses might be helpful. So, staff and Planning Commission were supportive of the rezoning request to CT."

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

No one asked to speak.

Mayor Tecklenburg said, "I would like to recognize my friend and the owner. Dr. Marcelo Hochman is in the house tonight. Doctor, if you would like to be recognized, just stand. He is a fine gentleman and a good citizen. Hearing none, the matter comes before Council."

Councilmember Griffin said, "Move for approval."

Councilmember Mitchell said, "Second."

Mayor Tecklenburg recognized Councilmember Shealy.

Councilmember Shealy said, "Mr. Morgan, is the plan for this a restaurant? I heard you mention that."

Mr. Morgan said, "That has been discussed, but of course, when we rezone it, it would go to any of the uses that are allowed in CT, which includes retail and offices, as well as restaurants. Yes, sir. That is what has been discussed."

Councilmember Shealy said, "Alright. Thank you."

Mayor Tecklenburg said, "Despite the address on Physicians Drive, the property is really at the corner of Savage Road and Henry Tecklenburg, so it's a very prominent corner and deserves a real active use, if I may say. Is there any further discussion?"

No one else asked to speak.

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

*An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 1004 Physicians Drive (West Ashley) (0.84 acre) (TMS #309-00-00-075) (Council District 7), be rezoned from General Office (GO) classification to Commercial Transitional (CT) classification. The property is owned by Dr. Marcelo Hochman.*

Mayor Tecklenburg said, "Item E-2."

Mr. Morgan said, "This is on Line Street downtown. It is 41 and 41½ Line Street. It's less than a tenth of an acre. It is requesting rezoning from Light Industrial to our Mixed-Use/MU-2 Workforce Housing classification. As you will notice from the image here, it is basically surrounded now by MU-2/Workforce Housing. That's the light blue that you see on the image here. Courier Square is down to the south, and you can see that in some of the images. You can see Courier Square under construction in that image, and a new Mixed-Use development is on the north side of Line Street that will get under construction soon. Here is a street view of the property, and you see Courier Square in the rear behind it under construction. Here it is in our Century V Plan Map that shows that it's part of the Urban Core, which is the designation we look for, for the most intensive types of uses, which are the MU-2/Workforce Housing designations. Both staff and Planning Commission recommend approval."

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

No one asked to speak.

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

Councilmember Mitchell said, "Move for approval."

Councilmember Griffin said, "Second."

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

No one asked to speak.

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

*An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 41 and 41½ Line Street (Peninsula) (0.077 acre) (TMS #459-05-03-113) (Council District 4), be rezoned from Light Industrial (LI) classification to Mixed-Use/Work Force Housing (MU-2/WH) classification. The property is owned by Scott W. Kay.*

Mayor Tecklenburg said, "E-3 is deferred, but we're still going to announce it. Since it's been advertised for a public hearing, if anybody would like to speak to this matter, of course, they may do so."

Mr. Morgan said, "So, this property's request is to be added to the Accommodations Overlay. The Accommodations Overlay already exists on the property to the west as designated with a crosshatch. These both front on Spring Street. There is also some other Accommodations zoning further down Spring towards Hagood and at the old Wendy's site further down between Spring and Cannon and the Crosstown. I think we have a couple of aerial images. You can see the property here. It was formerly home to a gas station. The gas station has recently been demolished. It will have an Assisted Living Facility to the northeast or eastern side of the property. The grassy lot that you see in this image will become an Assisted Living Facility there, and the west is already zoned for Accommodations use. There is the gas station that was demolished on the site."

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

No one asked to speak.

Mayor Tecklenburg said, "Seeing none, it's deferred, so we'll move on to the next item, E-4."

Councilmember Griffin said, "Mr. Mayor, I just have a question."

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, "That property was sold when it was a gas station and then demolished after it was sold?"

Mr. Morgan said, "I believe so. Yes, sir. Because it's just recently been demolished."

Councilmember Griffin said, "That's what I thought. Thank you."

Mr. Morgan said, "Yes, sir."

Mayor Tecklenburg recognized Councilmember Mitchell followed by Councilmember Gregorie.

Councilmember Mitchell said, "200 Spring Street?"

Councilmember Waring said, "Right."

Councilmember Mitchell said, "That's where the station is."

Councilmember Lewis said, "It's not now."

Mr. Morgan said, "200 Spring Street, it's been torn down. Yes, sir."

Councilmember Mitchell said, "Back in the 50s, I was living there. There used to be a three-story house there way back in the 50s, and my two sisters were born there at 200 Spring Street, and later on it changed. That's when they had the hotel there, the St. James Hotel, and then they had a Piggly Wiggly there up in that area."

Mayor Tecklenburg said, "Really?"

Councilmember Mitchell said, "Yes, back in the 50s up until 1960. It's changed a lot in that area."

Mayor Tecklenburg said, "The gas station is gone already. They've already demolished it."

Councilmember Mitchell said, "One thing I would like the City to check is to see when they changed those street names, Hagood Avenue and Courtenay Drive. When I grew up, they were Chinquapin Street and Chestnut Street, so I want to find out when those street names were changed."

Mayor Tecklenburg said, "Is that right?"

Councilmember Mitchell said, "Yes."

Mayor Tecklenburg said, "Interesting."

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Gregorie said, "Yes, would you verify that district for me, please?"

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

The Clerk said, "Councilmember, just pull the microphone a little bit closer."

Councilmember Gregorie said, "Yes. Do we have it in District #3?"

Mr. Morgan said, "We will double-check that."

Councilmember Gregorie said, "Double-check that for me, please?"

Mr. Morgan said, "Yes, sir."

Councilmember Lewis said, "District #3."

Mr. Morgan said, "Okay. Yes, sir."

Mayor Tecklenburg said, "Alright. Now, we'll proceed with E-4."

Mr. Morgan said, "This is a rezoning request in West Ashley. It's actually not a rezoning. It's a zoning. This is a recently annexed property at the corner of Magnolia Road and Live Oak Avenue. You see on the image here the properties outlined. There were three subdivided lots that were subdivided by Charleston County before annexation to the City. The property backs up to Single-Family houses down Live Oak Avenue across the street from Live Oak, and then to the northwest is a Multi-Family development in the area that is shown in yellow on this image. You can see the property here. There was formerly a church on the property that was sold. The church was demolished. It's a vacant lot now and, again, it has reverted to the three originally subdivided lots that Charleston County subdivided on the site to meet the City's zoning requirements for lots of that size. We are recommending an SR-4 zoning designation for the property, and both staff and Planning Commission recommend approval for SR-4 on the property."

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

No one asked to speak.

Councilmember Shahid said, "Move for approval."

Councilmember Shealy said, "Second."

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

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, "Thank you. I would just like to be reminded. If it's the three TMS numbers, why is it just called .36 of an acre?"

Mr. Morgan said, "That's the total acreage of the three lots together."

Councilwoman Jackson said, "Okay. So, we don't have to know the individual acres?"

Mr. Morgan said, "We can calculate those. When it was brought into the City, it was all three lots together at that acreage."

Councilwoman Jackson said, "Okay, and that doesn't impact the size of the lots to be built on?"

Mr. Morgan said, "No, ma'am. We already analyzed those, and they mostly closely match the SR-4 of our zoning districts."

Councilwoman Jackson said, "Okay."

Mayor Tecklenburg said, "So, three Single-Family homes would be able to be built here?"

Mr. Morgan said, "Yes, sir."

Mayor Tecklenburg said, "I see. Is there anyone else?"

No one else asked to speak.

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

*An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that property located on Magnolia Road and Live Oak Avenue (West Ashley) (0.36 acre) (TMS #418-13-00-057, 418-13-00-292 and 418-13-00-293) (Council District 9), be zoned Single-Family Residential (SR-4) classification. The property is owned by Nathan and Michelle Hertel.*

Mayor Tecklenburg said, "E-5."

Mr. Morgan said, "This is a vacant property on Stinson Drive in West Ashley. This is another pending annexation. It is just north of the West Ashley Greenway, which is the green strip you see running east west on the image in front of you here. It's surrounded on three sides by a Multi-Family development shown in the yellow. The requested zoning would match that Multi-Family development with the DR-1F designation, so it would be exactly the same density as those properties there. It is across the street from Single-Family houses and then, of course, Savannah Highway is further to the north where you've got Commercial development. Our new fire station is under construction on the properties that are zoned GB just to the northeast on Savannah Highway. We have some other images here. You can see it's a wooded site now, again, in the midst of the Multi-Family townhouse development that surrounds it. Here is the actual site from the street. Here is the property to the north of it with townhouses, and then the property to the south that's a larger townhouse development. Both staff and Planning Commission recommend for the DR-1F on the property."

Mayor Tecklenburg said, "Would anyone like to be heard on this matter? Yes, ma'am. Please state your name and address first, and then speak in the microphone."

1. Rhonda Calil, 507 Stinson Drive, said she owned a few of condos in Wildwood Townhomes Community, which was a community of 93 little condos on the Greenway. They were 1970 buildings that were converted into condos about 15 years ago. She was concerned that if the lot next door was developed, it would need to be filled, which would risk causing flooding for them. About a quarter of the lot was

high, and there was a dramatic drop-off into low land. A small part of it was wetland, but it was low. There was no way that the lot could support 18 units or up to 20. She thought it would flood them out. Their condos sold for a maximum of \$128,000, rented for \$1,250, and they didn't have a lot of money to deal with drainage issues. These units were affordable housing and they could not afford to fix flooding caused by development next door. She requested that it be limited to 12 units, or deferred until a study could be done of whether the lot could support that number of units. It would require major stormwater research. It had been for sale since 2010 and under contract a few times, so there was something troublesome about that particular lot, or it would have already been developed.

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

2. Patrick Head, JJR Development Team, said they were looking to annex into the City the lot on Stinson Drive. They had done a lot of projects in the City over the years and always preferred to work with the City when they could. They asked that it be the same zoning as what was engulfing it now, which was DR-1F. Statutorily, that zoning would allow for 18 units, but they had not begun design on the project, so they didn't know what they could actually do there. They did know they would work with the top engineers and architects on the project and whenever they did build, it would be done to best practice. The project was intended to be fee simple townhouses, similar to what was at Wildwood next door. A few of the units they would like to utilize for Geona Shaw Johnson's office for workforce housing, teachers, or firefighters. While he appreciated the concern of the neighbors, the project would have to go through numerous reviews with the City, including extensive TRC, and they would have to address drainage or engineering issues in the process.

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

Mayor Tecklenburg recognized Councilmember Shealy.

Councilmember Shealy said, "Mr. Morgan, did I hear that right, that this is to be annexed into the City, and it's not in the City currently?"

Mr. Morgan said, "It's pending annexation. It's had initial readings, but it's not had its final reading for annexation. That is correct."

Councilmember Shealy said, "Alright. What differences in the County zoning, what advantages are they going to get by coming into the City?"

Mr. Morgan said, "There is more density in the City zoning that surrounds it. The County zoning is a 12 units an acre zoning, and the City zoning that surrounds it is, as the folks were talking about, it's basically 19.4 units an acre. So, with the acreage that's there, it looks like potentially as many as 18 units could be there. Of course, if there are wetlands on the site, that would subtract from the highland, and we calculate based on highland, which the County actually does not. They calculate based on total area, so it would be the 12 units in the County, but we would subtract out

any wetland area to create that 19.4 units per acre calculation.”

Mayor Tecklenburg recognized Councilwoman Jackson followed by Councilmember Moody.

Councilwoman Jackson said, “Thank you. I happened to be at the Planning Commission when this item was heard this past Wednesday, the 20<sup>th</sup>, and then I got home that night and saw my City Council packet. So, even without the conversation about the zoning annexation compared to zoning, I had written myself a note on this item to find out how it could be that we would have this on our Council agenda when the Planning Commission was literally voting on it the night that the Council agenda was published. So, that’s just helping me learn the process of the City for these things, and now, I guess I would like to add the question of how we can be entertaining a change in zoning if we haven’t even annexed the property into the City. I’m very concerned about stormwater management planning, and I don’t think that our process is really geared to right now, evaluating the ability of the stormwater. Yes, if there are wetlands then, of course, those are subtracted from the buildable area, but in terms of how we’re going to see this property developed so that it doesn’t have any negative impact on the neighborhood that is fully built out around it, I would like to make a motion to defer this item from our agenda tonight and come back and take it up again when it’s time to annex it.”

Councilmember Gregorie said, “Second.”

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

Mayor Tecklenburg recognized Councilmember Moody followed by Councilmembers Griffin and Wagner.

Councilmember Moody said, “Well, I was not prepared to vote on the motion to defer. I was going to speak basically on what, and I didn’t catch his name, the owner of the property, there are a couple things about this. Number one, this piece of property is surrounded completely by similar zoning, so it’s not something out of the ordinary. There are some wetlands on this property, but the property that is really developable, is my understanding, is the higher property around there. So, if there is any water flowing off of it, it’s probably already flowing off. But the main drainage channel or pipe for that area runs through, I don’t know what corner it is, but that corner closest to the V there, the drainage pipe runs through that area right in there, and that pipe that drains that whole area has been collapsed. It doesn’t function at all, and my understanding was the developer was going to replace all of that or fix all of that as part of their infrastructure to make this thing work. So, I was prepared to support this. I think it meets all of the standards. We’ve got to annex it, and then we’ve got to zone it. We’ve got, not more hearings, but we’ve got more votes on this. So, my understanding was, I’ve got some concerns from the residents, but I think fixing that piping as we’ve said many times, if you fix the pipes that are already in the ground, you clean out the ditches, you do all of that stuff, you’re going to solve most of your drainage. The problem is the fact that this property has already got wetlands on it. So, you’re not going to be able to build on all of it. To come into the City and zone it like this like everything around it, you’re doing the right thing. So, anyway, I’m going to probably vote against the deferral and vote in favor of the rezoning.”

Mayor Tecklenburg said, “We didn’t have a motion on the floor yet.”

Councilmember Moody said, “Yes, we did. We had a motion, and somebody seconded it.”

Mayor Tecklenburg said, “We had a motion to defer on the floor.”

Councilmember Moody said, “Yes, that’s right.”

Mayor Tecklenburg said, "Right."

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, "I've heard a lot of concerns now from both sides. I agree that pipe needs to be fixed, and any time a developer is going to come in and fix some drainage, that's one less thing that we have to do. What concerns me is that we may give an increase in density when we haven't seen any drainage plans, and what concerns me about that is, I don't know, maybe this gentleman can answer whether you all have met with the County and showed them any plans or anything like that. Do you all have a PUD in place or anything like that? Has anything been done? Because, for me, whenever we give somebody density, I like to at least know how far along in the process they've gotten. Have they come up with any ideas? Have they done any sort of planning for drainage? Because once we give them this zoning, we can't take it back. So, we have to be very, very careful about increasing density. It makes sense to give them the same density that's around them. It makes sense for them to fix the piping that's on the property, but this is an opportunity for us to find out from this group how much work they've done ahead of time because once we give them this zoning, we can't take it away from them."

Mayor Tecklenburg said, "Right. I don't know if you want to reply to that. I think we would allow you to, but if not, that's fine. We'll keep on going."

Mr. Head said, "We have not spoken to the County. We don't have a PUD. We have just started the process on this project, so we have a survey. We've had our engineers begin looking at it."

Councilmember Griffin said, "Thank you."

Mayor Tecklenburg said, "Right, but they would have to meet our requirements. I think Councilmember Wagner was next."

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

Mayor Tecklenburg said, "Then Councilmember Shahid. I'll get back to you."

Councilwoman Jackson said, "Okay. I had my questions."

Councilmember Wagner said, "I'm still confused here. How are we zoning something we don't own, or hasn't even been annexed into the City? Are we cutting a deal here to go from 18 to 14? What's going on here?"

Mayor Tecklenburg said, "I think we often do this."

Mr. Morgan said, "In other words, the final reading on the zoning would not be taking place until the property was annexed in the City, but they're asking for a first reading, and the sequencing based on when the annexation petition came in because sometimes this happens, and we bring them to you all before you get the final reading. It just made sense to go ahead and move forward and get your recommendation or your first vote on it."

Councilmember Wagner said, "Okay. The reason I'm concerned is I'm the neighbor that could get flooded over this. I back up to Bill right there just on this side. I've got the other side of the Greenway, and we have Citadel Woods and a whole bunch of other stuff back on that side. I would normally go with Bill on this one, but I'd like to see a little bit more information first, please."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "Mr. Morgan, can you go back to the other slide that showed the surrounding property? There is that graph. We're asking to do, if I understand you correctly, when we annex this property and give this the zoning, it's going to match the zoning that's surrounding all of those other properties."

Mr. Morgan said, "Yes, sir."

Councilmember Shahid continued, "Once we annex this property, we're going to have control over it, so when it comes up before us for development, whatever is going to be erected there, is going to have to go through our regular processes with our regular boards, and we're going to have the ability, at this point, to control. If we don't zone it and we don't annex it, then we lose control over it and you're going to have, for the lack of a better way of saying this, a hole in the donut and that could have the negative impact that we're trying to avoid. So, I'm going to urge my Councilmembers to listen to what you are suggesting. Follow Councilmember Moody's lead on this, that once we annex this property and zone it that is consistent with the current zoning that is surrounding it on all three sides, then we're going to have the ability to control what you are concerned about. If we defer this, we may scare this person off and not come into the City, and then we lose the ability to control what we want to do with this property. So, I would urge all of you all to vote against the deferment and vote for moving this process on."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "Thank you, Mr. Mayor. I can't agree with Councilmember Shahid any more. Mr. Morgan, would you go over something that you already said previously when you started the public presentation. In the County, when the County looks at development they look at the entire--"

Mr. Morgan said, "The entire acreage, right. We subtract out the highlands and only calculate our densities based on the highland area."

Councilmember Waring said, "What this good lady needs to know is in our process by subtracting out the wetlands, it reduces the number of units a person could do. We also have the 1984 study, and I want to bet you that in that study, it probably calls for a larger pipe than the one that has actually collapsed. When this developer develops it in the City, you better believe he is going to come up to that higher standard, and I don't know that that's going to be the case in the County. From a flooding standpoint, when you develop a piece of property, we just say 'TRC'. That is not an easy process. Ask anybody who goes through it. I went through it once, and I had dark hair before I went through it."

There was laughter in the Chamber.

Councilmember Waring said, "So, we hear your concern, but you're going to have more effect on what you would like to see happen if it's developed in the City because there are a number of public processes that you have a chance to have impact on, as well as your workout buddy right here. It's Councilmember Gregorie. They work out together, but you're going to have a lot of impact around this table that you don't even know that you already have, so you had an impact tonight. So, I think, the final product would probably be a reduced number of units, and because the engineering will speak to that you're going to have a larger pipe than whatever the County has in there right now. You're probably going to have an updated drainage ordinance before this is developed because our drainage guidelines are going to be developed before this

comes to TRC, so the process will be a better process if developed in the City, with all due respect to our colleagues in the County. Thank you. So, I will vote against the deferral.”

Mayor Tecklenburg said, “So, in timing, we’re about to end our study of the DuWap area for the drainage systems everywhere, and this would be a part of that area. So, we’ll have some recommendations that we could get the developer to help us pay for, which would be nice.”

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Gregorie said, “I retract my second on the deferral.”

Mayor Tecklenburg said, “Alright. Would anyone else--”

Councilmember Griffin said, “I’ll second it.”

Mayor Tecklenburg said, “We have a second.”

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, “I’m happy to retract my motion to defer, but I would like to have my two questions answered, please. For myself and whoever is interested here in the public realm, I don’t understand how it is that we can have this item on our agenda when it was being heard the same night at the Planning Commission, so that’s just a process question. I also don’t understand how it is that we can be voting on the zoning. We’ve already given this a first reading.”

Mr. Morgan said, “That is correct.”

Councilwoman Jackson said, “Right. So, basically, we would be able to give it a second and a third reading tonight. Correct?”

Mr. Morgan said, “But they’ve requested deferral on those, so that they could be heard tonight for the first reading on the zoning to know where Council stood on the zoning, and we do that on a number of occasions with the annexations. Nothing can be finally zoned until you’ve given it final reading, so that would occur at a future meeting. You would actually give the actual vote on the annexation at that meeting before you would then vote on the zoning at the same meeting.”

Councilwoman Jackson said, “So, even though it doesn’t, you told us just now when you came up that it was being deferred. I’m sorry, I didn’t hear you say that.”

Mr. Morgan said, “Yes, ma’am. It’s marked deferred on your agenda. It’s number two under K, bills up for second reading, marked as deferred.”

Councilwoman Jackson said, “I’m still on the public hearings. Sorry. Alright, then, may I understand how it is that you have this on our agenda tonight when it was on the Planning Commission’s agenda on Wednesday?”

Mr. Morgan said, “So, again, it had first reading I guess last month, and then that allowed us to put it on the Planning Commission agenda and get their recommendation that then comes forward tonight to you all and then you all could give it a first reading based on what you’ve heard. If you give it a first reading, then at a later meeting, probably in two weeks, you would have the final votes or the second and third votes on the annexation and then immediately move for the final votes or the zoning on the property.”

Councilwoman Jackson said, "Okay. Let me just follow that train of thought for another minute. I'm literally just trying to follow the bouncing balls. I apologize. So, let's say the Planning Commission voted to oppose the change to the zoning, then it would have required a supermajority vote by the Council?"

Mr. Morgan said, "Yes, ma'am."

Councilwoman Jackson said, "How would we have known that in the published version of the agenda that came out the same night that the Planning Commission was meeting?"

Mr. Morgan said, "I would have reported it as part of this presentation on the public hearings, what the recommendation of the Planning Commission was."

Councilwoman Jackson said, "I personally think that is a very important distinction whenever the public has a chance to understand how the Council is going to be deliberating."

Mr. Morgan said, "I think our general policy would be if the Planning Commission had not recommended for it, we would have already marked it deferred on the agenda anyway if it was something that was creating a controversy like that."

Councilwoman Jackson said, "So, you would put out an amended agenda?"

Mr. Morgan said, "Yes, ma'am."

Councilwoman Jackson said, "Alright."

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, "Thank you, Mr. Mayor. Just very briefly, in what is a draconian process to get annexed in and get zoned, this actually seems to be a pretty good example of us moving something parallel and forward so they all come together at the same time giving us an opportunity to speak to it. It's still slow, and one thing that is for sure, as I do believe it was said already, but I'm sure we can get the developer to agree, that our new stormwater requirements are going to be in place, and this property is going to be subject to it. It's a high piece of property with a crush pipe, and it's going to have new stormwater regulations put on it, which is exactly the piece of property we want to have those regulations on because it's the high point. It's the crown of that little triangle. So, I do think we're doing the right thing. I agree with Councilmember Moody. I don't know if we still have a motion to defer. I'm not going to vote for it. So, let's give this first reading and see where it all goes from there. We can have conversations with the developer in between to make sure they get the picture on what the stormwater regulations will be and how they're going to work together to make sure it all fits. We've still got the freeboard issue going out there, too, which who knows how that's all going to go, so be careful what you ask for. You're about to come into a huge crossfire on all sorts of things that don't just include zoning. It includes new stormwater regulations, a freeboard requirement, and some neighbors who are nervous, so get ready."

Mayor Tecklenburg recognized Councilmember Moody.

Councilmember Moody said, "Yes, I just wanted to make one further point. This whole section of land that is part of, the Mayor alluded to the DuWap area, that the actual drainage on this lot goes down kind of to where the new hotel is that Jimmy Palassis is building."

Mayor Tecklenburg said, "This way."

Councilmember Moody said, "Yes, it goes right in that way and then goes under Savannah Highway in an undersized pipe, feeds into the Citadel Mall Drainage Basin, which compounds and causes more problems there, then goes around by Costco and out into the Stono River. So that's the way the drainage on this lot goes now, and I'm hopeful that this whole area through here can be diverted some way down the Greenway and straight into the Stono River, and that way we've gained more capacity in the Citadel Mall Basin. There is a lot of stuff that we can control here if we annex this in and take care of it, and I don't think the density is going to be that bad. I just wanted to point that out. Hopefully, as it goes through Planning, you guys will take a look at that once we get the new regulations. Thank you."

Councilmember Shahid said, "Call for the question."

Mayor Tecklenburg said, "I don't think there is a motion on the floor."

The Clerk said, "No, there isn't, so a motion needs to be made."

Councilmember Waring said, "Move for approval."

Councilmember Shahid said, "Second."

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

No one else asked to speak.

On a motion of Councilmember Waring, seconded by Councilmember Shahid, City Council voted 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 a vacant lot on Stinson Drive (West Ashley) (0.99 acre) (TMS #350-05-00-095) (Council District 11), be zoned Diverse Residential (DR-1F) classification. The property is owned by Rale MGMT LLC.*

The vote was not unanimous. Councilmembers Wagner and Griffin voted nay.

Mayor Tecklenburg said, "We had one nay."

Councilmember Griffin said, "A nay for me."

Mayor Tecklenburg said, "A nay for Councilmember Griffin."

The Clerk said, "Councilmember Griffin votes nay."

Councilmember Mitchell said, "And Councilmember Wagner."

The Clerk said, "Councilmember Wagner also?"

Councilmember Lewis said, "Yes."

The Clerk said, "Okay. Thank you."

Mayor Tecklenburg said, "Alright. Now, E-6."

Jacob Lindsey said, "Thank you, Mr. Mayor. This is an ordinance that would help to create

more affordable housing in the City of Charleston, and I believe you have given it a first and a second reading. It comes to you from the Planning Commission. So, the intent here is to provide more opportunities to create Single-Family affordable homes and cut bureaucratic red tape. This doesn't accelerate growth. It does not award additional density. It just helps to build more affordable housing. The staff have reviewed the existing ordinances and case studies of built affordable housing projects that had to appear before the Board of Zoning Appeals. Most of our Single-Family detached homes that we build have to go for some type of variance, whether it's for a lot coverage setback or frontage. So, this would be a conditional use that would apply only to affordable housing. It would not apply to market rate housing. So, only an affordable house would be eligible for these streamlined incentives. It reduces the setback and frontage requirements, and these houses would, of course, still fit in the neighborhood character. It doesn't change anything about the parking. Off-street parking is still required. It creates flexible lot standards, and there has been a lot of discussion about the effect specifically on Ashleyville-Maryville.

My staff have studied this extensively, and this is a basic Zoning Map that shows the zoning of Ashleyville-Maryville. Nearly all of the parcels in these neighborhoods are zoned for Single-Family use, and this is a map that breaks down the parcels in Ashleyville-Maryville by the width of the lot. There has been a lot of discussion about the 50 x 100 foot historic lot pattern, which is a pattern that does exist here. However, if you look at this, the key item here are the red lots, this sort of maroon color, and those are lots that are already at less than 50 feet of frontage. The lots that are in the green are lots that are between 50 and 100 feet of frontage, and then those that are in the yellow are over a 100 feet of frontage. So, there is really quite a bit of variance here and variation in the lots that have occurred over time naturally. The key thing here is that we really believe that this ordinance will not negatively impact neighborhoods throughout the City of Charleston. It will accelerate the construction of affordable housing everywhere in the City and eliminate the extra step before the BZA which, as you all know, can add a month or two months to the process. For affordable housing, every minute counts to deliver the construction of homes affordably. The last thing that I'll say about this, and we don't have an aerial here, we counted somewhere between 40 and 50 vacant lots just in Ashleyville-Maryville, vacant lots. Those lots are going to be built upon. They will be built upon, and those will either be larger market rate homes, or they will be affordable smaller homes. They will be built upon. This is, in essence, an anti-gentrification ordinance. It is as close as you can get to accelerate the delivery of affordable housing everywhere throughout the City. In Rosemont, our own houses that we have built in Rosemont are affordable houses. By our count, nearly every one of them had to go before the BZA for some variance adding one or two months to the process every single time. So, we think that this is something Citywide that will really be beneficial to our own efforts and to the very few efforts of developers who build completely affordable Single-Family detached housing, although those are, of course, few and far between unfortunately. So, with that, I'll say this comes to you with a recommendation of approval from staff and a recommendation of disapproval from Planning Commission, so it will require ten votes before you tonight."

Mayor Tecklenburg said, "We have the public comments. Can you wait?"

Councilmember White said, "Yes."

Mayor Tecklenburg said, "Okay. Would anyone like to be heard on this matter? Please come forward. State your name and address."

1. Marsha Higgins said she lived in Ashleyville and was concerned the ordinance would allow more affordable houses in Ashleyville on smaller size lots, which would be a traffic and parking problem because the roads were narrow, and a flooding problem because they recognized some flooding issues since the affordable housing homes

were built recently. She had nothing against affordable housing and they had enhanced the community. More houses built so close together would take away from the character of their community. She asked Council to support the decision of the Planning Commission to disapprove the ordinance.

2. Janet Ansley said she lived in Ashleyville and she came to ask that Council save their neighborhood and vote 'no' to that many houses of six on a lot that would not accommodate that much.
3. Annette B. Smalls, Vice-President of the Ashleyville-Maryville Neighborhood Association, asked Council to vote 'no'. She had talked with Councilmember Keith Waring at their neighborhood meeting. He had promised them that the lots would be 50 x 100, and she asked Councilmember Waring to keep his promise. She loved their neighborhood, and they wanted it to be uniform. When the lots were made smaller than 50 x 100, it created a problem, and the parking spaces were small. If people parked cars in their yards, there wasn't room for anyone else, and the small streets made it difficult for emergency vehicles. Their neighborhood had been that way for over a 100 years, and she asked why they had to change now. She didn't have anything against affordable housing, but they already had seven and recommended they put them somewhere else. She asked Councilmember Waring to keep his word because he currently owned the largest tract of land in the neighborhood that wasn't divided.
4. Diane Hamilton said she lived in Maryville, and she concurred with everything that had been said so far. They asked Council to vote 'no' to override the Planning Commission as the quality of life would be impacted negatively in their neighborhood, and that was their primary issue. They also asked that the City come up with a plan to protect their neighborhood as it had been platted in 1885.

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

5. Bridget Lussier, President of Magnolia Neighborhood, said she was opposed to the ordinance. She supported affordable housing, and if it was an affordable housing ordinance, she would support it, but it should be called the 'sweeping density increase, setback and frontage requirement decrease ordinance'. She thought if it was titled that, the room would be full because it affected all of the City where there was no HOA to protect homes. She didn't see how the homes would be made affordable. The ordinance only applied to the size of the setbacks, frontage requirement, density, and the income level of the people who bought or rented the home falling under 120 percent of average if it was purchased and under 80 percent of average if rented, which had nothing to do with the cost of the home. She said there was no authority to do that as Christopher Morgan pointed out at the Planning Commission meeting where the idea was shot down. It didn't address the cost of housing. An unintended consequence could be residential flooding. Precipitation that fell on an impervious surface like a yard or unbuilt lot went into the ground and didn't run off. When the lot was filled with pervious surfaces, it did run off, so it could cause flooding. The idea that developers were going to develop a property and not get the most that they could out of it without something in the ordinance to compel them to do so was not reality. She would not have known about this as she would have read 'Affordable Housing Ordinance', which sounded great, but that wasn't what

it was. Her main point was the assumption that people would charge less for the lots was untrue. She e-mailed Councilmembers with an example from Maryville of a house purchased for \$60,000 two years ago, and it went on the market in January for \$349,000. It was currently under contract for \$339,000.

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

No one else asked to speak.

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

Mayor Tecklenburg recognized Councilmember Lewis.

Councilmember Lewis said, "I move that we accept the recommendation from the Planning Commission and don't approve this ordinance."

Councilmember Griffin said, "Second."

Mayor Tecklenburg said, "Repeat the motion, please."

Councilmember Lewis said, "I move that we approve the recommendation of the Planning Commission."

Councilmember Seekings said, "He's moving to disapprove."

Mayor Tecklenburg said, "He's moving to disapprove."

Councilmember Seekings said, "Yes."

Mayor Tecklenburg said, "Okay."

Councilmember Lewis said, "Now, I'm not finished because I've got a question for staff."

Mayor Tecklenburg said, "Yes, sir."

Councilmember Lewis said, "Usually they don't go against the recommendation of the Planning Commission. For some reason I don't know why, but I'm going to tell you one thing. The people from Ashleyville were against this from the beginning when it was brought up. One of the things that Ashleyville was promised when they were annexed into the City of Charleston, was that those lots in Ashleyville would remain 50 x 100. This will be the second time that the City would be renegeing on that. They had the plat and went to the Planning Commission. Ms. Hamilton went to the Avery Institute and did the research to prove what the City had promised them. That's when the BZA decided to go along with the neighborhood and to not approve the variance that the developer wanted, to come and build these, I think it was six units at that time, but we annexed people into the City, we promised them something, and then years later, we renegeed on them. This is a good neighborhood. I've got to say, this is one of my best neighborhood organizations."

There was laughter in the Chamber.

Councilmember Lewis said, "One more thing, it's a neighborhood that takes care of the neighborhood, and like Ms. Smalls said, some of those streets are very small. We hear from folks

all of the time downtown below Broad Street and stuff about quality of 'my life.' Well, they want their quality of life, and let's not take it away from them. That's all I ask. I ask the members of City Council not to approve this ordinance."

Councilmember Shealy said, "Second."

The Clerk said, "Well, we have one. I think Councilmember Griffin seconded."

Mayor Tecklenburg said, "We have a second already."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "There are a couple of things that need to be addressed. The good lady that came up, and as a matter of fact, this is one of my good neighborhood associations also, and said that the property that I have and spoke directly to me is not 50 x 100, that's just incorrect. As a matter of fact, I've taken the plat to the neighborhood association, and they saw that almost two years ago. Each property has 50 foot frontage, and the depth is 100 feet, so that's just not accurate. This will reduce the cost of housing. You know why? Because it reduces the cost of land. You only qualify for this ordinance if you build affordable housing. If you build market rate housing, you do not qualify for this zoning. It would be great if a lot of developers in the City of Charleston said, 'I saw this ordinance, and I want to build affordable housing'. The problem is we don't have the private sector building affordable housing. We know the escalation, the exponential cost of housing, and as a matter of fact, the lady who pointed out the house at \$60,000 in Ashleyville that's under contract for \$330,000, whatever, that's a good example of the escalation if that in fact is true, a house bought for \$60,000 is under contract for \$333,000, or whatever the number was, in Ashleyville. How do you do something about that? It is not the cost of a 2x4. It's not the cost of the shingles. The land cost is what's getting away from all of us in the City of Charleston. As land costs increase, that's reflected in the final cost of housing everywhere. I wanted to correct that issue about developing smaller lots than what's already platted in Ashleyville. That's just not accurate.

But, in the months of discussing this with my colleagues, Councilmember Lewis knows this, the neighborhood, through discussions with Councilmember Lewis and myself, came up with what we thought was a pretty good compromise. I forwarded that compromise, but it did not make it before the Planning Commission. It's a compromise that I believe would protect Ashleyville and certainly protect this ordinance for affordability throughout the City. The suggestion was an exception for any platted neighborhoods that were former municipalities or townships. The Town of Maryville having been a township, that should be written into this ordinance. That did not make it to the Planning Commission prior to the Planning Commission, voting. For colleagues around the table, out of the nine members of the Planning Commission, five were there, and the vote was 3 to 2. So, now, it's going to require us 10 out of 13, and you all knew we've been working on this I think since late September. It's been at the Planning Commission for five months before it came back in front of us. We've put a lot of work into trying to create a piece of legislation that specifically speaks to affordable housing. But for smaller lots, you would not have Ansonborough. But for smaller lots, you would not have the French Quarter. We just got through talking about an example of affordable housing that we didn't give an applause, but we certainly saluted, that Ms. Geona Shaw Johnson is building the Katrina Cottages on. The cost of that one lot was \$70,000, and three units are going to be placed. Now, this is on the Peninsula, that they're going to be placed, the cost of one lot of \$70,000 is going to be spread across the cost of three homes. That does reduce the price of housing. My amendment would be, if the motion is withdrawn, that we pass this with an Overlay District that protects historic townships and chartered municipalities as an exception to this ordinance. Now, I don't know of any townships that were chartered in the

City of Charleston. There may be some other ones around, but the only one that I'm familiar with is the Town of Maryville. Mr. Lindsey, can you come and speak to that Overlay? That was not in front of the Planning Commission. They didn't have that to consider, so we would like to send that back to the Planning Commission with this passage."

Mr. Lindsey said, "Well, if that's the will of Council, we would certainly do more research, as much as we can, into the matter and determine the feasibility and move forward with it, if it's possible."

Councilmember Waring said, "So, the idea of trying to protect the historic township that's there, we are all on the same page with that. I am not in disagreement with that. As a matter of fact, if it were not for the dialogue going back and forth, having the ability to agree and disagree, I don't think that solution would have bubbled up quite frankly. There was talk about putting it in the Historic Charleston or the Preservation Society and all of this. That would be overbearance in that community. They couldn't paint shutters on their houses without getting approval. An exception from this rule, due to the township that previously existed, certainly makes sense. An Overlay District can be drawn over Maryville and Ashleyville that would create that, and we just need to get the legalities of that done. But to accept an affordable ordinance that would apply to the City of Charleston, and you only qualify for this if you build affordable housing in accordance with the price guidelines of our Housing Department as set up by the Federal Government, it certainly would be an opportunity lost."

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, "Thank you, Councilmember Waring. I certainly would support some sort of an amendment that does exactly what you're talking about for Maryville-Ashleyville. I have two things. First, I have a question that I hope you can answer, Mr. Lindsey. Remind us in the Chamber, what are the terms of the affordability? I know it's less than 120 percent area median income for any property that is going to be owned and 80 percent or less of any property that would remain rental, but for how long would we enjoy that affordability?"

Mr. Lindsey said, "That is really a question for Ms. Geona Shaw Johnson. The ordinance says it's as defined by our Department of Housing and Community Development, so it would have to qualify under her guidelines for what makes an affordable house that she builds under her programs."

Councilwoman Jackson said, "For how many years would it have to be retained to be affordable?"

Mr. Lindsey said, "Mr. Morgan has been looking through the ordinance, and it says it's 90 years is the way that it's written."

Councilwoman Jackson said, "So, that's codified in the ordinance. Got it."

Mr. Lindsey said, "That component is in the ordinance, but the qualification to become affordable is as defined by HCD."

Mayor Tecklenburg said, "So, may I ask a question? You mentioned Rosemont, so these kinds of adjustments to the property lines are possible with a variance, correct?"

Mr. Lindsey said, "Mayor, they are possible with a variance. That is correct."

Mayor Tecklenburg said, "So, this makes it easier for an affordable housing developer or the City to get the approval to adjust to a smaller lot and make them more affordable. So, I would just like to say I applaud Councilmember Waring for pursuing the effort to try to make affordable housing more affordable in the City of Charleston, and we all have that common goal. Secondly, I must say in all seriousness, in reality, given that requirement that you would have to legally dedicate your property for 90 years to be sold to someone within that income range, very few people are going to do that, and you're not going to find this happening very often. In fact, the only people that normally do it is us, the Housing Authority, and some non-profit housing developer. So, that being said, I applaud the effort. I do think we need to respect the wishes of these neighborhoods. They've been very consistently concerned about it, and it's part of protecting the real and perceived quality of life in their neighborhood. One of the goals, particularly of the West Ashley Master Plan, was to preserve neighborhoods. So, I would support an amendment as proposed, as discussed here, it's not on the floor, that it would exclude these neighborhoods because I feel like the overall goal is good even though I don't think a lot of people would take advantage of it. As the motion stands without the amendment, I would vote to support the denial, disapproval."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "Thank you, Mayor. As you mentioned earlier, Plan West Ashley specifically talked about maintaining the character of these neighborhoods, particularly Maryville-Ashleyville and Magnolia Neighborhood, and Ms. Hamilton has schooled me on numerous occasions as to the historical significance of this property. Councilmember Lewis, Councilmember Waring, and myself, at the last Neighborhood Association meeting, took a tour of the area. We looked at the seven houses that were under construction. My concern with this property, and Mr. Lindsey had mentioned this word 'gentrification' of this area, and it is a great concern to me and to all of us, I think, who represent a portion. This is one of these neighborhoods that has maybe got overrepresentation on Council because all three of us have a portion of this property in our individual districts. So, we show up for these meetings, and I meet with these Neighborhood Presidents on a regular basis, and I know what the problems are. It's going to be exasperated when you go out there and you walk and see what we're about to erect with the Bender Street Park, and you go out there and see this property. It's pristine. It's absolutely beautiful, and the character of this neighborhood is such that it deserves 100 percent of our attention and 100 percent of our concerns to make sure that we maintain the character and what these folks are talking about because this property has been in generations and their families for generations. My question with Mr. Lindsey is what other tools do we have available to avoid having this property turn into gentrification taking place into this area? Because I think the intent here is to provide a mechanism for affordable housing outside of the Maryville-Ashleyville and Magnolia property area, so what can we do procedurally if we do that? If we put this umbrella around this neighborhood, what other steps do we have available? What other tools do we have available to protect these neighborhoods to take care of the concern that you just raised?"

Mr. Lindsey said, "Are you referring just to Ashleyville-Maryville?"

Councilmember Shahid said, "And Magnolia."

Mr. Lindsey said, "Well, we would need to study those areas specifically, of course, but an ordinance like this does not stop gentrification. It doesn't prevent houses from being built at market rate on lots and being sold for lots of money. It doesn't stop that. It just speeds up the delivery of affordable housing to be built on those lots before they can become expensive market rate homes, and if we were to study this, again, that's basically what I would tell you again because

we don't have the ability to regulate property values of course. So, we would be happy to study those things in further depth."

Councilmember Shahid said, "So, let me ask one more question to sort of make sure that we're on the procedural correct course. So, the motion from Councilmember Lewis and seconded by Councilmember Griffin is to, right now, affirm the denial?"

The Clerk said, "Correct."

Mayor Tecklenburg said, "Correct. So, we would not require a three-quarters vote for this motion to succeed, only seven votes."

Councilmember Shahid said, "Only seven votes."

Mayor Tecklenburg said, "Because we're agreeing with the Planning Commission."

Councilmember Shahid said, "We're agreeing with Planning."

Mayor Tecklenburg said, "That's correct."

Councilmember Shahid said, "In order to get an amendment to carve out Maryville-Ashleyville and Magnolia, how do we do that procedurally?"

Councilmember Griffin said, "He amends his motion."

Councilmember Shahid said, "I'm looking for Legal to make sure that we do this properly because every time we get into this quagmire--"

Councilmember Griffin said, "Then, it's got to go back to the Planning Commission."

Councilmember Shahid said, "That's right."

Councilmember Waring said, "But we save a step if we do it tonight, but anyway."

Councilmember Lewis said, "But I think the proper thing to do is to send it back to Planning because if we amend the motion and approve it with the amendment, then we're going to have to take the most votes because you will be overriding the Planning Commission. But if we just send this back to the Planning Commission and make sure that staff adds the amendment to it, that's what we need to do."

Councilmember Shahid said, "That's why I want to make sure. I've got Legal up here to give us a right answer on that."

Geona Shaw Johnson said, "So, Council, I want us to be mindful of if the City of Charleston or those organizations that we support are not building on lots, then who is? Our market rate developers, which means you're going to have houses that cost more in those particular neighborhoods, and I have much respect for the Ashleyville-Maryville Community. My mother grew up West of the Ashley, but I want us to be mindful of, and you all will see when I bring the contracts before you for the houses that we built, we complied because that's what we were asked to do, relative to the houses that we built in that community, but those houses are expensive. They're affordable, but just as you saw subsidy that will come on those properties, those three properties that we're constructing in the Westside and Eastside, the same rule applies here, and it may be higher, so let me just share that with you. Construction costs right now are pretty phenomenal, and we've already seen in that community because it is a desirable community, the

cost of lots have gone up so soon, we will be priced out, and we can't build in that community. So, naturally, if we aren't building, the market rate folks will be building. So, we need to be cognizant that, yes, we're talking about Maryville-Ashleyville, but this is an application for the entirety of the City of Charleston, and to the point relative to BZA, any time we have to stop production to go to a Committee and request approval, that slows down production. So, whereas we would like to see affordable housing enhanced, I sat at a conference at the Economic Conference that the Chamber sponsored today, and one of the three things that the economists ended with was we aren't building enough housing. Well, surprise, surprise. We know that, but if this is one that actually supports the construction of housing, we just want to be cognizant of the decision we make relative to that. Thank you."

Mayor Tecklenburg said, "Thank you."

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilmember Shahid said, "But, Mr. Mayor, can I get an answer to my question first?"

Mayor Tecklenburg said, "Okay."

Councilmember Shahid said, "My question was what is the procedural mechanism we need to go through now in order to address Councilmember Waring's--"

Mayor Tecklenburg said, "I think Councilmember Lewis would have to accept an amendment since he has made a motion."

Susan Herdina said, "That's right, and then with a vote of seven, and then it would go back to the Planning Commission."

Councilmember Waring said, "We would save one step in the process if we did something tonight, as opposed to doing nothing tonight."

Ms. Herdina said, "Right, or you could vote to affirm the disapproval and instruct staff to come back with a new ordinance at the next meeting, and then that would go to the Planning Commission."

Mayor Tecklenburg said, "Either way would work."

Councilmember Seekings said, "That's simpler."

Councilmember Waring said, "Well, the only thing with the Planning Commission, it was there for five months. There are only 12 months in the year if we can save a step in the process. One thing since I have the floor, Mr. Mayor. You didn't recognize me. I jumped in front of Councilwoman Jackson. While we're actually studying the legalities of the Overlay, which we've done Overlays for school districts, Overlays are very successful in this City. I've said this a number of times at the neighborhood association meetings. The threat to Ashleyville-Maryville, in particular Ashleyville because it borders on the water, is not smaller lots. It is developers coming in and buying two or three houses at a time and abandoning property lines. The 50 x 100, no argument with me, but the moment somebody comes in and buys two or three lots and abandons property lines, then you begin to put McMansions on the waterway. That drives up the price of housing exponentially. There is nothing that prevents that, and I've made mention to the neighborhood, we need to come up with a mechanism, hopefully, which the neighborhood would have to agree to, the property owners would have to agree to it, I suspect, because you lose the village concept when property lines are abandoned. The property that I was called out on is 360

frontage on Main Street, and we're putting six lots there. That's right. We're putting six lots there. Well, if you divide 306 by six, you get 50 some odd feet per lot. That's just a fact. But, suppose I didn't put six 50 x 100 lots there, and I want to put two houses at 150-foot frontage, I could put a pretty big house there, and I could charge a pretty good price for that, so that's not my goal. My goal is to keep the village as it was, and if you want to look at an example of what I'm talking about, look at the Old Village in Mt. Pleasant. That used to be a community very much like Ashleyville, little 50 x 100 lots. Go and look at the McMansions that have been built in the Old Village in Mt. Pleasant. The people who were born and reared and families that were there are no longer there. So, if there is a way that we can come up with a mechanism, and this is where Councilmember Shahid may have been headed, to protect this community more, and even Magnolia, about not having property lines abandoned in these little villages, let me tell you, that will go a long way to keeping it as a village, as opposed to eventually being bought out and the character really being changed in a large way."

Mayor Tecklenburg said, "Right, and you're absolutely right. Overlay Districts can be very successful. In the case of our Accommodations Overlay District, I would argue that it's too successful."

There was laughter in the Chamber.

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, "Thank you. I almost forgot what I was going to say, Councilmember Waring, but I just wanted to make a couple of points because this goes back to a theme that I'm going to continue to return to in our ability to work better with the Planning Commission on the planning side of things. I do think that those of us who were at the Joint Work Session that we had back in December left there knowing that we were pretty much all in agreement that this kind of ordinance was going towards achieving the spirit of the law. None of us wanted to see affordable housing bump up against the constraints and the difficulties that were being explained to us with needing to get variances and all of that. Certainly, no one at that Joint Meeting wanted to make a move that would be detrimental to the oldest black neighborhood in West Ashley. So, we left that meeting agreeing that we were going to have our staff and others think more strategically about how we might be able to benefit affordable housing, as well as protect Maryville-Ashleyville and any other neighborhoods that would similarly be at risk of gentrification, and then we never had another Joint Work Session. The only reason that it took them five meetings to take this vote, Councilmember Waring, was because of those reasons. They wanted to protect the people that were being faithful to educate them about the impact of doing something like this, and they also wanted to hear from the staff about better ways of doing affordable housing. So, I do think that we're on to something here in terms of having an Overlay District. I would recommend that we vote in favor of Councilmember Lewis's motion, so that we can send it back to the Planning staff for an Overlay design that would work for a lot of these purposes, and at the same time, I don't understand why we can't give exceptions to variances to affordability. That seems like it would be within our wheelhouse as a municipality. Thank you."

Mayor Tecklenburg said, "Alright."

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, "I just want to make a quick point, kind of unrelated, but related to this. Before we vote on new terms for these Commission members, I want to see how often they're showing up to these meetings because I think it's despicable that we've got five people that show up to these meetings. I know this isn't the first time. So, I know one of you two

is at all of the meetings, and I'm sure they're taking attendance. I'm going to be happy to vote these people off that aren't showing up to these meetings."

Mayor Tecklenburg said, "Alright. Thank you. So, we have a motion on the floor."

Councilmember Waring said, "I do have a procedural question."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "We gave it first reading, and I think we will send it back and ask staff to do the Overlay. When it comes back, will it be a second reading?"

Councilmember Griffin said, "I thought we already gave it second reading."

Councilmember Waring said, "No. We gave it first reading on the 10<sup>th</sup>."

The Clerk said, "Right."

Mayor Tecklenburg said, "We'll need a first reading."

Councilmember Waring said, "When it comes back, it will be a second reading?"

Mr. Lindsey said, "I think that you would need a first reading with an ordinance in front of you. Right now, we don't have the draft ordinance that's described, so I think the next it will be your first."

Councilmember Waring said, "Hopefully, we're going to amend the ordinance that's in front of us."

Mr. Lindsey said, "I defer to our parliamentarian."

Mayor Tecklenburg said, "It depends on how this plays out."

Councilmember Waring said, "You're right. If we were to amend the ordinance that was sent to us to have the Overlay District and send that back to the Planning Commission, then when it comes back, for a second or a third reading?"

Ms. Herdina said, "It would, let's see, a motion to amend. So, you would give it first reading tonight, but the problem is, I don't think we know what that ordinance should say at this point."

The Clerk said, "This is third reading on the agenda."

Ms. Herdina said, "So, it's third reading tonight for this."

Councilmember Waring said, "Well, I thought it was second reading. Forget what I said, then. I guess we've got to start all over again."

Ms. Herdina said, "I think that would be cleaner."

Mayor Tecklenburg said, "Alright. So, our motion on the floor from Councilmember Lewis is to agree with the Planning Commission to disapprove this ordinance."

On a motion of Councilmember Lewis, seconded by Councilmember Griffin, City Council voted unanimously to disapprove the following bill:

*An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) to incorporate provisions to allow subdivision and development of Single Family Detached Affordable Housing as a conditional use within multiple base zoning districts. (AS AMENDED) (DISAPPROVED)*

Councilmember Seekings said, "Now, we can direct staff to go put together another ordinance and bring it back to us."

Mayor Tecklenburg said, "We can."

Councilmember Waring said, "Does that need to be done in a motion form to do that?"

Ms. Herdina said, "You can do it in a motion. That's fine and for the record."

Mayor Tecklenburg said, "It should be fine to make a motion."

Councilmember Waring said, "We can do it in the form of the motion that we ask staff--"

Councilmember Lewis said, "No, we direct staff."

Councilmember Waring said, "I stand corrected."

There was laughter in the Chamber.

Councilmember Waring said, "I stand corrected."

Mayor Tecklenburg said, "Were you in the Navy?"

There was laughter in the Chamber.

Councilmember Waring said, "I'd like to make a motion that we direct staff to put together an ordinance including an Overlay District that gives an exemption to former township and municipalities from this ordinance. Thank you."

Councilmember Shealy said, "Second."

Ms. Herdina said, "And bring it back."

The Clerk said, "I have Councilmember Waring's motion seconded originally by Councilmember Shealy."

Ms. Herdina said, "Councilmember, I just checked with Jacob, and he said we can bring that back at the next meeting."

Councilmember Waring said, "That would be great, and I will tell you now, I want to give credit to this to the neighborhood. Those long, arduous meetings, the idea believe it or not, 'can we get an historic exemption' was the one that led to the suggestion of an Overlay. So, democracy works."

Mayor Tecklenburg said, "That's right. Thank you all."

Councilmember Waring said, "Thank you."

Mayor Tecklenburg said, "There is a motion on the floor. Is there any further discussion?"

No one else asked to speak.

On a motion of Councilmember Waring, seconded by Councilmember Shealy, City Council voted unanimously to direct staff to create an ordinance including an Overlay District that gives an exemption to former township and municipalities.

Mayor Tecklenburg said, "Next, is approval of our City Council minutes from February 12<sup>th</sup>."

Councilmember Mitchell said, "Move for approval."

Councilwoman Jackson said, "Second."

Mayor Tecklenburg said, "Are there any changes or deletions?"

No one asked to speak.

On a motion of Councilmember Mitchell, seconded by Councilwoman Jackson, City Council voted unanimously to approve the minutes of the February 12, 2019 City Council meeting.

Mayor Tecklenburg said, "Next is our Citizens Participation Period. We have a short list of folks to speak, but I'm going to ask you all, given the meeting has drug on a little bit, to keep your remarks to a minute and a half, 90 seconds."

Mayor Tecklenburg said, "Let's keep going. Let's bid adieu to our Naval friends from the USS Charleston. You all have a great week in Charleston this week, and we will see you Friday and Saturday. We had on everyone's desk a piece of artwork of the USS Charleston, and there is a gentleman, I forgot his name, he is an amateur artist, and he does these pencil drawings of every new U.S. Navy vessel. He did the Ralph Johnson, as well. He was here when we had the commissioning of the Ralph Johnson, so this same artist did this print of the USS Charleston that you all have on your desks. I just thought I'd share that with you. Thank you all for being with us.

We're going to call out Citizens Participation participants. Please give your name and address, 90 seconds."

The Clerk said, "Mohammed Idris, Marsha Higgins, this may be some of the same people. Janet Ansley, Diane Hamilton, and Annette Smalls. I think they may have signed up on this inadvertently. So, let's do Mohammed Idris and Marc Knapp."

1. Mohammed Idris suggested that Council read a magazine about the Founding Fathers of the Country. He said what happened in Council last year on December 18, 2018 and what he was presenting at this meeting on February 26, 2019 was no accident. The reason they had the Council meeting on the 18<sup>th</sup> instead of the 25<sup>th</sup> of December 2018, was because it would have been on the day that the Country celebrated the birth of Jesus Christ. December 18<sup>th</sup> was the birthday of the Councilman from the 11<sup>th</sup> District. Mr. Idris said 89 years ago the nation of Islam started Savior Day, which was a response to the celebration of Christmas, what they considered a promotion of white supremacy. In 1975, after the death of the Honorable Elijah Muhammed, the new leader continued the celebration until he taught the purpose of what Savior Day meant and why it was being taught in the manner it was being taught. He reinstated the teaching in Charleston. Tomorrow, they would be at the Julian Devine Community Center sharing the policy results with the community between 4:00 to 7:00 p.m., and he asked them

to join him. Their mission was to bury the dead body of racism which was killed in 1975 with the formula that was given to humanity 1,000 years before it was started by Prophet Muhammad. People would get a volume of information and the information he had given to Council.

2. Marc Knapp said he kept coming back to the drainage project because he had to deal with the engineers at the Intermodal Center, and it concerned him that the \$40 million + just popped up like a Jack in the Box. He said nobody knew about it and were blindsided. He wanted to know who knew about it and who was signing off on it. The City needed to look at getting a SLED investigation into it. The engineers miscalculated the grades on all of the pipe. They put it at .35 percent, and they missed it by a full decimal point. He said this was a first grade mistake as it should have been .035 percent. He was truly concerned that people were getting taken to the cleaners, and someone needed to start an investigation into what was going on. He had never seen a project this outrageously over budget with nobody knowing about it until last minute and said somebody had their hand in the cookie jar.

Councilmember Griffin was excused from the meeting at 7:13 p.m.

3. James Ledley thanked the City for the wonderful work they had done to renovate and improve the Corrine Jones Playground and Park as it was his local park. The City, in partnership with the Charleston Parks Conservancy and with neighborhood residents, developed a Comprehensive Plan in 2010 to improve the park, outlining a Master Plan that contained several phases. The first phase had been very successful, but he was there to ask for Council's help with a more urgent concern, which was the safety in the park. When the Master Plan was developed, the second phase was for the complete replacement of aging tennis and basketball courts. In 2010, it was known that the courts needed immediate replacement, but in 2019, the situation had grown more dire. The useful life of a tennis court was 25 years, and the tennis courts at Corrine Jones were far older and in need of immediate attention. They were cracked, the surface was uneven as water collected and made it dangerous to play, and the courts were too small. 120 x 120 was the standard, and they were 100 x 114 feet, which meant that if both courts were being used, it was dangerous for the players. In 2015, the condition of the tennis courts was so bad that the courts were closed to the public for safety reasons. The City did put a band-aid on that held for a number of years, but the band-aid had worn off. The time had come to replace the courts, so they could continue to be useful for another 25 years. The project was already on the unfunded Capital Projects List, but there was no prioritization of the list. He had been asking for years that it be addressed, and he now asked that it be done this year. If the money was not available this year, then in 2020.

Councilmember Griffin returned to the meeting at 7:15 p.m.

Councilmember Moody was excused from the meeting at 7:15 p.m.

Mayor Tecklenburg said, "Thank you for bringing that to our attention, and I will look into that, but I will make a comment because you can learn how to play basketball, even if the court is downsized a little bit. I'll give you an example. I lived right across the street from, I used to call it Hester Street Playground. We were at the corner of Peachtree and Hester for a while, and that's where my sons learned to play basketball. If I may brag, my son, Joseph, went on to play

for Wofford, which is now ranked #24 in the Country, and twice, he went to the NCAA Tournament. He learned to play at that very basketball court. So, I get you about improving the cracks, but you can still learn to play basketball with a little smaller court.”

Mr. Ledley said, “I appreciate it.”

Councilmember Moody returned to the meeting at 7:17 p.m.

Councilmember Waring was excused from the meeting at 7:17 p.m.

Mayor Tecklenburg said, “Did anyone else sign up? There was a little confusion. I think some people signed up for the public hearing, even though they didn’t have to. Does anybody else want to be heard?”

No one else asked to speak.

Mayor Tecklenburg said, “So, next is the appointment of our Director of Stormwater Management. I recommended to you in a memo, Mr. Matt Fountain. He is with us tonight. Matt, if you would come forward just to be available if there is a question. He currently had served as the Technical Programs Manager at Charleston County. He is both a registered engineer and a registered geologist. He knows the landscape of the Lowcountry and our drainage situation. We’ve worked closely with him over the last few years, our staff. They’re all looking forward to working with Matt as our new leader of this new department. Are there any questions or discussions? Matt, would you like to offer any comment? Please do so.”

Matt Fountain said, “Thank you, Mr. Mayor, and Councilmembers. I’m really looking forward to us working together on the Division for Stormwater Management and trying to use that to create some priorities and short term goals that we can actually act on and refining our procedures to communicate our results with you. Thank you.”

Mayor Tecklenburg said, “Thank you, sir. Are there any questions?”

Councilmember Griffin said, “Has he already started, or does he have an anticipated start date?”

Mayor Tecklenburg said, “He has an anticipated start date, which is March 18<sup>th</sup>.”

Councilmember Griffin said, “Cool.”

Mayor Tecklenburg said, “Yes, sir.”

Councilmember Shahid said, “Do we have your mobile number yet?”

There was laughter in the Chamber.

Councilmember Seekings said, “Don’t give it out yet.”

Councilmember Griffin said, “You have three weeks to change it.”

Councilmember Shahid said, “Do we vote on this?”

Mayor Tecklenburg said, “Yes, we do.”

Councilmember Seekings said, “So moved.”

Councilmember Lewis said, "Second."

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

No one else asked to speak.

On a motion of Councilmember Seekings, seconded by Councilmember Lewis, City Council voted unanimously to approve the appointment of Matt Fountain as Director of Stormwater Management. Councilmember Waring was not present for the vote.

Councilmember Waring returned to the meeting at 7:19 p.m.

Councilmember Wagner was excused from the meeting at 7:19 p.m.

Mayor Tecklenburg said, "Next, our Director of Public Service. I sent out a very short memo because he needs no introduction, our own Tom O'Brien. Tom, you want to come forward? He has done quite a remarkable job over the last few weeks as our Interim Director of Public Service, and together with Matt, we're going to have an incredible team to make improvements going forward in both the old functions of Public Service and the new Stormwater functions, as well. Tom, would you like to address Council?"

Tom O'Brien said, "Yes, sir. Mayor and members of Council, thank you very much. I look forward to continuing to serve, and I just want to say I'd like to thank you for your vision in creating these two departments. Matt and I have known each other a long time and look forward to a great relationship in working and doing great things for you all and our citizens."

Councilmember Moody said, "Move for approval."

Councilmember Shahid said, "Second."

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

Councilmember Waring said, "I just wanted to thank Mr. O'Brien for stepping in and wearing multiple hats during the period of time of Laura leaving and, of course, the onboarding of a new Stormwater Director. By acclamation, his customer service has been second to none in the seven years that I've been on Council. This new position does come with a pay raise, I hope."

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

There was laughter in the Chamber.

Councilmember Waring said, "But thank you."

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

Mayor Tecklenburg said, "Is there any further comment?"

No one else asked to speak.

On a motion of Councilmember Moody, seconded by Councilmember Shahid, City Council voted unanimously to approve the appointment of Tom O'Brien as Director of Public Service. Councilmember Wagner was not present for the vote.

Mayor Tecklenburg said, "Next, this particular position does not require a Council approval, but I wanted to introduce to you Lakesiya Cofield. She is our new Municipal Court Director. Please come forward. She is an amazing young woman who hails to us from Georgia, and early in her career, after graduating from Emory University and the University of West Georgia, she was dedicated to domestic violence as an advocate to victims of domestic violence and really has a heart and passion for that. In seeking self-fulfillment and improvement, she moved into Court Administration and has led two small towns as a Municipal Court Manager, and we're so pleased that she applied here in Charleston. We're glad to have you, Lakesiya. If you would like to address Council, please do so."

Councilmember Wagner returned to the meeting at 7:21 p.m.

Lakesiya Cofield said, "Good evening, Council and Mayor. Thank you for that introduction. I'm very excited and grateful for this opportunity to be a part of the City. I came here several years ago for a work conference, and this is one city that I'm glad that I'm able to actually be a part of and use my experience. I can say I've worked in several different Courts over a course of 16 years in my career, and this is one Court that I can truly say is well organized, and as of right now, I don't really see a whole lot that needs to be changed. From what I've seen over the last three and a half weeks, it's well organized, but I'm sure there are always some things that will come along that could make it a better Court. If you all have any questions, I don't have any business cards, but you can send me an e-mail or call. I do have a work cell, but I'm very grateful to be here."

Councilmember Griffin said, "Thank you."

Ms. Cofield said, "Thanks."

Mayor Tecklenburg recognized Councilmember Lewis.

Councilmember Lewis said, "She's replacing Sylvia Skeeter?"

Mayor Tecklenburg said, "That is correct. Sylvia retired after 25 years."

Ms. Cofield said, "So, I have some really big shoes to fill. Yes."

Mayor Tecklenburg said, "That's right. Thank you. Welcome."

Ms. Cofield said, "Thank you so much."

There was applause in the Chamber.

Mayor Tecklenburg said, "So, next we have three more reappointment matters. One is Ed Kronsberg to the Charleston Housing Authority."

Councilmember Seekings said, "So moved."

Councilmember Moody said, "Second."

Mayor Tecklenburg said, "Is there any discussion?"

No one asked to speak.

On a motion of Councilmember Seekings, seconded by Councilmember Moody, City Council voted unanimously to approve the reappointment of Edward Kronsberg to the Charleston Housing Authority.

Mayor Tecklenburg said, "Then, the next two are Council reappointments to both the COG and CHATS."

Councilmember Moody said, "Move for approval."

Councilmember Griffin said, "Second."

The Clerk said, "That's both, Mayor, I-5 and I-6?"

Mayor Tecklenburg said, "Both I-5 and I-6."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "Mr. Mayor, I just want to take this opportunity, and I can't remember exactly when I made this request, but we had this issue when you or members of our Council serve on the Boards. Often times, I think almost always, you will have to recuse yourself in consideration because of an Attorney General's Opinion that said it's a conflict of interest. I've asked, and I'm looking at Susan and staff to look into this, because I think it's unfair that when we have issues that come up that affect these particular Boards or Committees, that we are deprived of your expertise and knowledge of what's going on with that, and I just think even though it's an Attorney General's Opinion on this, that we need to have you all weigh in on these issues that pop up from time to time. So, I don't know where we are with that, but I just want to re-emphasize us looking into whether or not you are in fact conflicted out if you're on these Boards."

Ms. Herdina said, "We can provide you all with some direction on this because there is the AG Opinion, but there is a difference with these appointments in that they are City Council approved appointments to sit on City designated Boards that we have a partnership with. So, it's a little bit different than you being asked to sit on the Gaillard Auditorium Board, and that's not a formal City appointment, but I understand there is some confusion on the issue, and we will look at that and provide you with some guidance."

Councilmember Shahid said, "It may be if these two are an exception to that AG's Opinion, maybe we need to look at those appointments and put them under the same category than these are, and if we can do that, I think that would clarify and get this confusion out of the system."

Ms. Herdina said, "Right. Yes, sir."

Mayor Tecklenburg said, "Alright."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "I just want to thank Councilmember Shahid for that because, in serving in those other capacities, I look at myself as being the eyes and ears of the City, so when you get conflicted out on an issue, you can't speak to it. You're muffled. So, and I say that with respect to the Gaillard, with respect to the International African American Museum. I don't know if anybody is on the Gibbes Museum Board, but the same thing."

Mayor Tecklenburg said, "It's not like we have a financial interest."

Councilmember Waring said, "We don't have a financial interest so, anyway, thank you."

Ms. Herdina said, "I think the issue there is concern about divided loyalties, and that's what has to be looked at. So, in any event, we will look into this more closely and try to provide some better guidance."

Councilmember Waring said, "Let me get one more in here. If the Gaillard has a deficit, as a representative from the City on the Gaillard Board, it is not in the interest of the Gaillard or the City of Charleston for the Gaillard to have a deficit. I'll give you an example. If the Gaillard has a deficit, you know what the article is going to say in the newspaper? The City of Charleston Gaillard Center has a deficit. We're joined at the hip. So, I just, again, I look at it from the standpoint of being on City Council from the vision of the City Councilman and what's best for the City of Charleston."

Ms. Herdina said, "Thank you."

Mayor Tecklenburg said, "We have I-5 and I-6 on the floor. Is there any further discussion?"

No one else asked to speak.

On a motion of Councilmember Moody, seconded by Councilmember Griffin, City Council voted unanimously to approve the reappointment of Mayor John J. Tecklenburg, Councilmember Robert Mitchell, and Councilmember Perry K. Waring to the Berkley-Charleston-Dorchester Council of Governments Board of Directors and the reappointment of Mayor John J. Tecklenburg, Councilmember Marvin D. Wagner, and Councilmember Kevin Shealy to the Charleston Area Transportation Study (CHATS).

Mayor Tecklenburg said, "Now, I do want to share with Council there are a number of other Committee appointments that are coming up at the end of February and in March, and if you recall, what I would like to do is put on your desks some appointments for the next meeting. I had four or five and lacking one or two that weren't quite ready yet. So, if it's okay with Council, I will e-mail you tomorrow with a little slew of these Committee appointments for your consideration for the next meeting, so you will have two weeks still to look at them."

Mayor Tecklenburg recognized Councilmember Moody.

Councilmember Moody said, "I want to pick up on what Councilmember Griffin said about the attendance, and that doesn't just go for the Planning, that goes for all of these Commissions that we appoint. I'd like to see how many of them are attending the meetings on a regular basis if we're going to reappoint them that is."

Mayor Tecklenburg said, "Absolutely. Right. So, just to let you know, at this point, we are asking our staff that manages whatever Committee, if we're going to reappoint them, whether in fact, they're regular attendees or not, but I haven't been getting a percentage, although I do ask the question."

Councilmember Moody said, "Yes, and following up on that, some of these Boards, I know the Planning Commission particularly, have requirements that these people attend some kind of Continuing Education so many hours a year. I don't think they're doing that either. Maybe I'm mistaken, but I think there ought to be an accounting of that. I'm directing it at Mr. Lindsey because I thought he might know."

Mr. Lindsey said, "I do. We're aware of ongoing education requirements. We do offer ongoing education requirements for our Board and Commission members, many of whom do attend. We have webinars. We have seminars, so some of them do avail themselves of that, but I'm not prepared to report back on exactly who is and isn't up to date because I'm sure there are some who don't attend every one, of course."

Mayor Tecklenburg said, "Councilmember Seekings, are you good?"

Councilmember Seekings said, "I agree, especially the ones that are of record, that we keep minutes of that are in the chain of the building of our ordinances. I think that's really important to make sure of. We get continuity. We show up, and so we know what happened last week, the week before, and we may agree or disagree, but we know what we're agreeing or disagreeing on, especially with the Planning Commission and the BAR. Those are huge."

Mayor Tecklenburg said, "Right. Sure. So, maybe give me one day. I might double-check a few of those names before I send out that memo."

Councilwoman Jackson said, "Yes, take your time."

Mayor Tecklenburg said, "Okay, but it will be in the next couple of days. Now, our Council Committee Reports, Councilmember Seekings, Committee on Traffic and Transportation."

Councilmember Gregorie said, "Move for approval."

Councilmember Shealy said, "Second."

Councilmember Seekings said, "Thank you, Mr. Mayor. We took a report from our Director of Traffic and Transportation on our Speed Hump Program. They are ahead of it this year. They have taken the money. They have used it wisely for both the building of some new speed humps and some maintenance. They gave us a report on six projects that are going forward, two of which, I think, are more important than the others. You will see that the first four are simply speed humps that are going into neighborhoods, two on Johns Island, one on Daniel Island. Apparently, they're speeding up there, Councilmember White. I don't know if it will slow them down. One is at Carolina Bay. Councilmember Wagner was all over those. We reported it to Councilmember Shealy Betsy Road is one where we're going to put a speed hump in. There is already three there. We're going to put a fourth in. It's subject to DOT approval, so that one is going to go back to the DOT for its approval, and lastly, you will see Line Street. That is a project that is ongoing. We're in the process of turning it into two ways. For those of you that have not sat on this Council for more than seven years, we actually approved that seven years ago. So, here we go. Line Street is going to be converted to two ways, and at the same time, it's going to get a traffic calming device. I just want to thank Mr. Benjamin, Mr. Somerville, and the entire staff, they worked really hard on this. We gave them some more money, and they've taken it to heart, and they really thought about it. It's great to see staff doing that because they were advocates for us to do this. They thought about it. They're very prepared, and they're ready to go. So, I don't know if they're still here, but I really want to thank them, and I don't think any of this needs approval. It is just for information to you all. If you have any requests from your district about speed humps, please call Mr. Benjamin directly and just let the Committee know."

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, "I just wanted to add to Chairman Seekings's report because I thought it was very impressive that not only have they done their homework about how to make

the most out of the little bit of extra budget money that we were able to find this year, but they said in the process they've caught up on their backlog, or they will."

Mayor Tecklenburg said, "There was a focus on maintenance, in addition to new projects."

Councilmember Seekings said, "I forgot one other thing that is important, Mr. Mayor, that we also have a report in writing, if you all are interested, and we can send it to you, on all of the paving projects in the City of Charleston that have been approved through the County, the transportation sales tax, all of the different sources. So, we need to get it to you all, so you see what is coming in your district in 2019, and there are some in your district. I was looking through all of them. So, that's important, and you all need to know what's going on."

Mayor Tecklenburg said, "Alright. Thank you very much."

Councilmember Seekings said, "Thank you. That concludes my report."

Mayor Tecklenburg said, "Alright. Next our Committee on Public Safety, Councilmember Shahid."

Councilmember Shahid said, "Thank you, Mr. Mayor. We had a very lengthy meeting the other day to go through on our agenda. We first heard from Amy Barch. She is the Director of Turning Leaf which is a re-entry program. She takes clients who are coming out of serving their prison sentence. These are high risk individuals. These are men only. She has 50 enrollees to date, and she intends to increase this to 110 and up to 150. Her program is so successful that only 20 percent of these folks reoffend. She has six staff members on board. The average cost per client, this is very inexpensive, is \$5,000 per person. What's really important for us is that she has 16 of her graduates working for the City of Charleston, two of which, are supervisor positions, so we support this program. It started under Chief Mullen. Mayor Riley was a big advocate of this program. It's one of the most successful re-entry programs for people coming out of prison that we have supported, and we need to continue our support of that."

Last week there was a hate crime forum that was sponsored by the City Police Department held at the Charleston Museum on the 20<sup>th</sup>. Those of us who attended were moved by the presentations from Mr. Joe Engel and from the widower of Reverend Pinckney. I was very proud that we had our City sponsor this project.

We asked for an update on the audit process from the City. Lieutenant Jason Bruder gave us an update as to what has taken place. They had one Town Hall meeting. It was not well attended. They're working with Reverend Middleton to spread the word better, so these Town Hall meetings can be advertised and have folks attend these things. The next session with the auditors will take place between the 26<sup>th</sup> and the 30<sup>th</sup> of March. We'll get the word out as to the development with this audit. It's a long way to go.

We asked for an update from Chief Curia as to the status of Fire Station #16. This is located off of Ashley Hall Plantation Road and was slated for demolition. We had allocated \$425,000 for this project. Initially, \$125,000 has been spent on a design for a new firehouse. This property is in a low lying area and is subject to flooding. It is in desperate need of repair, but the cost of the location of this property, they were trying to see if they could instead upgrade, and they can't. So, we're in a holding pattern on where we're going to end up with this redesign, or rebuild our Fire Station #16.

I also wanted an update from Chief Curia as to the response to citizen calls. The Fire Department would respond to any call of a medical nature whatsoever, and we laughed about it,

but even if someone was complaining about an ingrown toenail. So, as a directive from the Mayor to sort of curtail these number of calls, the Chief has eliminated responding to those type of non-emergency medical calls. To date, from January 1<sup>st</sup> to yesterday we have received 452 less calls, which is an average of eight per day, and he said that when we make these calls, it's usually 30 minutes out of the station, and I think that's a little bit longer. So, what we have done so far has curtailed the number of calls that we're making on these non-emergency medical calls. Half of those medical calls come from the Peninsula, and it requires that when we make these medical calls, we have to shift our personnel to make sure that we're covering the entire City. So, we're down to where we were back in 2016, and we're making progress on that front.

Lastly, we amended our agenda to receive a report from the Chief. As many of you all have been aware, there was an article in the newspaper. There was a story on NBC News on Sunday with the fatality of Mr. Nathaniel Rhodes, who was arrested in August of 2018. The story was that Mr. Rhodes was involved in an accident on the Septima P. Clark Parkway. It involved a two-car accident, and the police responded to this accident. There was an open container of alcohol. EMS came, and then this is where things started going south. Officer Kelly had his body camera on because he didn't have an in-car dash camera with this. EMS responded, Officer Kelly signed a form--"

Councilmember Gregorie said, "We're under investigation."

Councilmember Shahid said, "Okay. All I can just say is this. Let me just read this. Once this news came out, the Chief has referred the investigation of this to SLED, and that's where it's going right now, so we are hopefully headed with a full overview of what took place on the August 12<sup>th</sup> incident, and certain things are changing with the Chief having taken the initiative to make certain in-house changes on policies regarding this."

Mayor Tecklenburg said, "That's right. Thank you very much."

Councilmember Lewis said, "Move for the report of Public Safety Committee."

Councilmember Waring said, "Second."

On a motion of Councilmember Lewis, seconded by Councilmember Waring, City Council voted unanimously to adopt the Committee on Public Safety Report as presented:

---INSERT PUBLIC SAFETY REPORT---

- a. Update on Turning Leaf Project – Amy Barch
- b. Police Department: Update on CNA Audit
- c. Fire Department: Update on Fire Station #16
- d. Fire Department: Discussion regarding policy change on department responses to citizen calls

Mayor Tecklenburg said, "Now, for our Committee on Public Works, Councilmember Waring."

Councilmember Waring said, "There weren't any things that we voted on in Public Works. Everything was for information. We got an update on, well, the new Stormwater appointee was introduced to the Committee, and he was introduced under fire. I think I could say that."

There was laughter in the Chamber.

Councilmember Waring said, "Of course, you heard from Mr. O'Brien already today. Spring/Fishburne, had an update, very limited. King/Huger had an update that is progressing forward, Councilmember Lewis. Then, the Floodplain Manager, we had a discussion about the freeboard update, and I know we'll have more discussions at Council, so all of that was for information, so it was nothing to vote on. All of that was for information to the Committee and now Council. Thank you."

Mayor Tecklenburg said, "Alright, and, finally, our Committee on Ways and Means."

Councilmember Griffin said, "Move for approval."

Councilmember Seekings said, "Second."

Mayor Tecklenburg said, "Is there any discussion?"

No one asked to speak.

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

---INSERT WAYS AND MEANS REPORT---

(Bids and Purchases

(Parks: Approval to accept the 2019 Keep South Carolina Beautiful Palmetto Pride Grant in the amount of \$14,800. Program funds will go towards litter cleanup and beautification supplies, as well as education program costs. The Palmetto PRIDE Grant was due November 2018 and accepted December 2018. This is after-the-fact due to KCB staff being out of the country and a change in format of the grant application/award process. No City match is required.

(Police Department: Approve the Independent Contractor Agreement in the amount of \$25,000 with Kylon Middleton Ministries, LLC to perform consulting services in connection with the 2019 Illumination Project.

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

(Police Department: Approval of a Memorandum of Understanding between CPD and CCSD to allow CPD to conduct emergency services training at Fraser Elementary School, 63 Columbus Street, Charleston, SC 29403.

(Housing and Community Development: Mayor and City Council are requested to approve a Memorandum of Understanding between the City of Charleston and the Public Housing Authority (PHA) of the City of Charleston for the management and oversight of the Environmental Review Process for the PHA as required by the Department of Housing and Urban Development, pursuant to the National Environmental Policy Act of 1969. The City of Charleston's Department of Housing and Community Development as the local jurisdiction receiving the HUD funding has acted in this capacity for the Housing Authority in the past and shall not be required to pay for any costs related to professional services secured in the conduct of these services, but will have oversight responsibilities to ensure actions are taken compliant to the regulations.

(Housing and Community Development: Mayor and City Council are requested to approve a Construction Contract between Howell and Howell Contractors, Inc., and

- the City of Charleston for construction services to build three homes, known as the Katrina Cottages on parcels owned by the City of Charleston at 4 Nunan Street, 4 Grants Court, and 87 Cooper Street located in the West and Eastside neighborhoods of the City of Charleston. These homes will be sold to first time homebuyers earning one hundred and twenty (120%) percent and below the Area Median Income. The contract amount is \$666,215 which includes a ten (10%) percent contingency and will be derived from funding in the Fee-in-Lieu account. The overall budget for the development the three lots is \$730,745 and is attached for your information. The bid for services was released December 5, 2018 with responses received January 25, 2019.
- (Housing and Community Development: Mayor and City Council are requested to approve a reallocation of funding from the Community Development Block Program income fund to the Fee-in-Lieu account in the amount of \$351,721 for the construction of the Ashleyville/Maryville houses. This would reduce the amount of funds derived from the Fee-in-Lieu Account from \$1,027,000 to \$675,279. Please see the attached memorandum for additional information.
- (Budget Finance and Revenue Collections: Approval of the Blue Cross/Blue Shield HRA Administration Contract. In August, the 2019 Healthcare budget was approved which included the HRA administration. This is an increase (\$6500) to the originally approved vendor.
- (Approval to apply for 2019 Charleston County Greenbelt funds in the amount of \$6,100,000 for the purchase of an 8.46 acre waterfront property on James Island (Fort Pemberton). Application deadline is February 29, 2019. There are no matching funds for this grant and funding of the grant comes from the "Urban" Greenbelt allocated to the City.
- (Approval to apply for 2019 South Carolina Conservation Bank Trust Fund Grant in the amount of \$600,000 to be used in the purchase of an 8.46 acre waterfront property on James Island (Fort Pemberton). This funding source is to supplement the application of Charleston County Greenbelt Funds for the purchase of the property. The deadline for this application was 1/31/2019 and this is an after-the-fact approval for application. This grant has no matching fund requirement.
- (Request approval of the Fourth Amendment to Lease Agreement for police forensics unit at 1023 Wappoo Road whereby extending Suites A-14 and A-15 one additional month to April 30, 2019 and Suite B-48 up to six additional months to September 30, 2019
- (Request approval of the Lease Agreement for 2093 Executive Hall Road for the relocation of police forensics unit (Request approval of the Lease Agreement for 12-C Farmfield Avenue for the relocation of police forensics unit
- (Request authorization for the Mayor to execute an Agreement of Purchase and Sale in the amount of \$70,000 for the property known as 36 Cooper Street. The goal in the acquisition of this site is to demolish the current structure and maximize the lot size for the construction of additional for-sale housing to persons earning 120% or below the Area Median Income. The property is owned by Benjamin Green Jr. and Shakayla Simmons. (TMS: 459-06-01-008; 36 Cooper Street)
- (Request approval of a Resolution expressing the City's intention to make a loan to WestEdge supporting WestEdge's obligation pursuant to the Infrastructure Development Agreement to pay certain costs incurred by 99 West Edge Developer, LLC for the installment of public improvements supporting the redevelopment of the WestEdge District, such loan to be secured by a Promissory Note in the form attached to the Resolution in the amount of \$4,124,290.61 , which shall be repaid by TIF Revenues, and to terminate the Guaranty Agreement, previously approved by City

Council which capped the amount to be paid by the City of such public improvements at \$3,735,536. (TMS: Portion of 400-00-00-013; 99 West Edge) **(Councilmembers White and Lewis voted nay on this item.)**

(Consider the following annexation:

214 Rice Mill Place (TMS# 269-01-05-023) 0.24 acre, Cainhoy (District 1). The property is owned by Matthew Hunter Baker and Chelsea Baker.

(Executive Session in accordance with Section 30-4-70(a)(2) of the South Carolina Code to discuss contractual negotiations and receive legal advice regarding the acquisition of a new drainage easement over property owned by St. Andrews Playground Commission (Charleston County TMS No. 350-04-00-002) as part of the Forest Acres Drainage Improvements Project. The Committee may or may not take action after returning to open session.

(Approval of a Resolution to submit the Greenbelt Funding Application to pay for one half of the acquisition of the Brantley Park site

(Discussion of the Lowline and Greenbelt Funding

First reading was given to the following Resolutions and bill:

*An ordinance to provide for the annexation of property known as 214 Rice Mill Place (0.24 acre) (TMS# 269-01-05-023), Cainhoy, Berkeley County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 1. The property is owned by Matthew Hunter Baker and Chelsea Baker.*

*A Resolution expressing the City's intention to make a loan to WestEdge supporting WestEdge's obligation pursuant to the Infrastructure Development Agreement to pay certain costs incurred by 99 West Edge Developer, LLC for the installment of public improvements supporting the redevelopment of the WestEdge District, such loan to be secured by a Promissory Note in the form attached to the Resolution in the amount of \$4,124,290.61 , which shall be repaid by TIF Revenues, and to terminate the Guaranty Agreement, previously approved by City Council which capped the amount to be paid by the City of such public improvements at \$3,735,536.*

*A Resolution to submit the Greenbelt Funding Application to pay for one half of the acquisition of the Brantley Park site.*

The vote was not unanimous. Councilmember Mitchell abstained from voting on Item 5 of the report. Councilmembers White and Lewis voted nay on Item 11g of the report.

Mayor Tecklenburg said, "We have one bill for second reading to change the age for our City's Palmetto Artisan Regulations."

Councilmember Griffin said, "Move for approval."

Councilmember Shealy said, "Second."

Mayor Tecklenburg said, "Is there any discussion?"

No one asked to speak.

On a motion of Councilmember Griffin, one (1) bill (Item K-1) received second reading. It passed second reading on motion by Councilmember Shealy and third reading on motion of

Councilmember Gregorie. On further motion of Councilwoman Jackson, the rules were suspended, and the bill was immediately ratified as:

**2019-014** AN ORDINANCE TO AMEND CHAPTER 17 OF THE CODE OF THE CITY OF CHARLESTON, SOUTH CAROLINA, TO MODIFY THE CITY'S PALMETTO ARTISAN REGULATIONS TO EXTEND THE AGE OF THE PROGRAM TO EIGHTEEN YEARS OLD OR UNTIL GRADUATION FROM HIGH SCHOOL.

The Clerk said, "That was Councilmember Gregorie and who else?"

Councilwoman Jackson said, "Jackson."

Mayor Tecklenburg said, "We have a request to withdraw L-7 under first readings."

Councilmember White said, "Move to withdraw L-7 under first readings."

Councilmember Seekings said, "Second."

Mayor Tecklenburg said, "We have a motion to withdraw L-7. Is there any discussion?"

No one asked to speak.

On a motion of Councilmember White, seconded by Councilmember Seekings, City Council voted unanimously to withdraw the following bill:

*An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by adding to Article 9 thereof a new part 8 providing for a Temporary Moratorium on the issuance of development permits for Residential (Single Family and Multi-Family) Development on John's Island (WITHDRAWN)*

Mayor Tecklenburg said, "Now, I understand you all are going to a meeting in Washington, D.C. for the National League of Cities, so our next meeting will not be on Tuesday, but will be on Thursday, March 14<sup>th</sup>. We look forward to seeing you then. Is there any further business to come before this body?"

No one asked to speak.

Mayor Tecklenburg said, "We hereby stand adjourned."

There being no further business, the meeting was adjourned at 7:40 p.m.

Vanessa Turner Maybank  
Clerk of Council