

MOUNT PLEASANT TOWN COUNCIL

TOWN COUNCIL AGENDA

Tuesday, April 10, 2018 at 6:00 p.m.

Municipal Complex, Council Chambers

100 Ann Edwards Lane

Mount Pleasant, SC 29464

MINUTES

Mayor Haynie called the Town Council Meeting to order at 6:01 p.m.

Council Members Bob Brimmer, Joe Bustos, Kevin Cunnane, Kathy Landing, Tom O'Rourke, Jim Owens, Gary Santos and Guang Ming Whitley were present.

I. PRAYER

Chaplain Doug Farmer led Council in prayer.

II. PLEDGE

Whitesides Elementary Student Council led in the Pledge of Allegiance.

III. COMPLIANCE WITH FREEDOM OF INFORMATION ACT

Mr. Pagliarini certified compliance with the Freedom of Information Act.

IV. APPROVAL OF AGENDA

Mr. Owens moved to amend the agenda, moving item XI.B, under Council Old Business, to follow item VII and before item VIII; seconded by Mr. Santos. All present voted in favor.

Mr. Owens moved to approve the agenda as amended; seconded by Mr. Santos. All present voted in favor.

V. PUBLIC HEARINGS, AWARDS & PRESENTATIONS

A. A Public Hearing: A Public Hearing to receive input on a proposed Fifth Amendment to Development Agreement By and Between CDM Of Charleston, LLC and Town of Mount Pleasant, South Carolina which is summarized below:

Proposed is to delete in its entirety Exhibit C (Governing Regulations) of the Development Agreement, including all exhibits to the same, and to supplement with a new Exhibit C with all of the exhibits thereto.

Carolina Park is comprised of approximately 1,608.50 acres of land and whose location is generally described as being on the north side of US Highway 17 between the Park West and Pepper Plantation developments.

Mayor Haynie stated that there are no individuals signed in to speak on this item; therefore, he declared the public hearing closed.

B. A Public Hearing: A Public Hearing to receive input on a petition for annexation of the following property:

The territory to be annexed is described as Linen Place, a single-family home residential development located off Hamlin Road, Mount Pleasant, South Carolina. The legal description of the property is attached and incorporated within the annexation petition by reference in plats Book L09, Pages 487-488, Book L10, Pages 0332-0333, and Book S12, Pages 0161.

The property is comprised of 55 single-family lots and three common area parcels designated as follows on the County tax maps:

578-00-00-049 through -050, 578-00-00-052, 578-00-00-477 through -501, 578-00-00-503, 578-00-00-506 through 578-00-00-531, 578-00-00-569 through -571.

All current Town services offered to current residences and citizens will be assumed to these properties following final reading of annexation. These services include, but are not exclusive to: Administrative functions, Fire, Sanitation, Public Works, and Recreation.

The petition requests the property to be zoned R4, Medium Density Residential District. The property will not be included in the SB-OD, Sweetgrass Basket Overlay District.

Mayor Haynie stated that there are no individuals signed in to speak on this item; therefore, he declared the public hearing closed.

- C. Public Hearing:** A Public Hearing to receive input on the proposed amendment to the following sections of Chapter 152:

Section 152.20, Section 152.04, Section 152.05: (A) shall read: This chapter shall apply to all areas of special flood hazard within the jurisdiction of the town. For all areas within the jurisdiction of the town, any special flood hazard areas identified by the Flood Insurance Study, dated November 17, 2004, for the unincorporated areas of Charleston County, with accompanying maps and other data, are adopted by reference. Incorporate the following paragraph into (A): Upon annexation, any Special Flood Hazard Areas identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study for the unincorporated areas of Charleston County, with accompanying map and other data, are adopted by reference and declared part of this ordinance. All LOMRs that are issued by FEMA in Special Flood Hazard Areas identified by this Section are hereby adopted. Add a new paragraph (B) and (B)(i) to read: **SPECIAL STORMWATER MANAGEMENT AREAS:** A Special Stormwater Management area is a designated drainage service area not meeting or exceeding acceptable levels of service, as such, special stormwater management standards shall apply in order to provide the highest level of protection to safeguard residents from unmanaged runoff. It is an area where the current hydrology and hydraulics have been studied and the culminative expansion of impervious surface, land alternating activity, and natural changes in

the environment have exceeded the capacity limitations of the existing infrastructure. As a result, the quality of life for residents within this area is at risk. Therefore, land development standards specific to this area shall serve the public by protecting property from high water levels to the maximum extent possible. OLD VILLAGE STORMWATER STUDY AREA. Defined in the report dated August 2, 2017 titled Old Village Watershed Study Phase One and presented to the Public Services Committee on July 25th, 2018 is the boundary area subject to The Stormwater Management Guide for Homebuilders inside the Old Village Study Area;

Section 152.06. BASIS FOR RE-ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD. (A) Special flood hazard area maps have been prepared for Charleston County and its incorporated areas by the Federal Emergency Management Agency in its Flood Insurance Study, dated November 17, 2004. The accompanying maps and other supporting data are adopted by reference and declared to be a part of this chapter. Adding Paragraph (B): (B) Basis for establishing the area of SPECIAL STORMWATER MANAGEMENT. This incorporates by reference the South Carolina Department of Health and Environmental Control Standards for Stormwater Management and Sediment Reduction Regulation 72-307(C), and subpart (4) which reads as follows: Specific requirements for the permanent stormwater management portion of the stormwater management and sediment control plan approval process include, but are not limited to, the following items. The appropriate plan approval agency may modify the following items for a specific project or type of project. (4) c. Watersheds, other than Designated Watersheds, that have well documented water quantity problems may have more stringent, or modified, design criteria determined by the local government that is responsive to specific needs of that watershed;

Section 152.20; Section 152.22; Section 152.23; Section 152.25: delete entirely; Section 152.26; Section 152.51; Section 152.52; Section 152.99.

Mayor Haynie stated that there are no individuals signed in to speak on this item; therefore, he declared the public hearing closed.

D. Public Hearing: A Public Hearing to receive input on the proposed municipal budget for the 2019 fiscal year.

Proposed FY 2019 Budget	
General Fund	\$ 86,617,952
Debt Service Fund	8,334,219
State Accommodations Tax Fund	1,896,646
Capital Asset Fund	82,955,424
Less Interfund Transfers	<u>(23,276,043)</u>
Total Proposed Budget	\$ 156,528,198

Its general content is as follows:

Current	Projected	Percentage	Current
Fiscal Year	Revenue	Change In	Fiscal Year
<u>Revenue</u>	<u>FY 2019</u>	<u>Revenue</u>	<u>Millage</u>
\$152,541,070	\$156,528,198	2.6%	38.1 Mills (operating)
			2.9 Mills (debt)
Current	Projected	Percentage	Estimated
Fiscal Year	Expenditures	Change In	Millage for
<u>Expenditures</u>	<u>FY 2019</u>	<u>Expenditures</u>	<u>FY 2019</u>
\$152,541,070	\$156,528,198	2.6 %	38.1 Mills (operating)
			2.9 Mills (debt)

One mill generates \$884,721 as based on the total estimated assessed value of all real and personal properties within the Town of Mount Pleasant. One mill equals \$1.00 per \$1,000 of assessed property value.

Mayor Haynie stated that there are no individuals signed in to speak on this item; therefore, he declared the public hearing closed.

E. Administration of Oath to the incoming Fire Chief

Mayor Haynie administered the Oath of Office to the new incoming Fire Chief, Mike Mixon, Jr. Mayor and Town Council congratulated Chief Mixon on his new position to lead the Mount Pleasant Fire Department.

F. Recognition of Finance Department for the Government Finance Officers Association Certificate of Achievement for Excellence in Financial Reporting

Mayor Haynie and Town Council members congratulated Chief Financial Officer, Marcy Cotov, and the members of the Finance Team for receiving the Government Finance Officers Association Certificate of Achievement for Excellence in Financial Reporting. She stated that this is the 30th year the Town has been awarded this certificate.

G. Employees of the Month

Mr. DeMoura stated that there are several individuals who were involved in a major software implementation. He stated that these employees are being recognized for their work in implementing the Ceridian DayForce, which is a Human Resource and Payroll Information Software System, which was a significant undertaking. He stated that these employees deserve so much credit for bringing in a very complex and significant change, and important improvement to the Town of Mount Pleasant.

Finance Team: Peggy Conkel, Adam Shultz, Sue Messina, Sarah Brown and Jeannine Lawitzke

Human Resources Team: Meghan Kelly, Brad Walbeck, Ebony Douglas, Lindi Cosenza and Angela McKee

Mayor Haynie and Town Council Members congratulated the Finance and Human Resources Teams.

Mr. Brimmer stated that many who work in offices understand that offices only work because of the dedicated administrative professionals that work in those offices. He stated that April 25th is

Administrative Professionals Day and recognized around the world. He said he would like to take a moment to thank the Administrative Professionals in the Town of Mount Pleasant. He said they are the face of the Town for many of the Town residents. He said he wanted to recognize the work that they do for the Town. He said as being a member of Town Council, he stated that there are three particular individuals who help manage Mayor and Council and he would like them to know how much he appreciates their assistance.

VI. APPROVAL OF [MINUTES](#) FROM THE JANUARY 31, 2018 TOWN COUNCIL RETREAT, THE MARCH 5, 2018 SPECIAL TOWN COUNCIL AND THE MARCH 13, 2018 TOWN COUNCIL MEETINGS, AND THE MARCH 2018 FINANCIAL STATEMENT.

Mr. Bustos moved for approval; seconded by Mr. Santos. All present voted in favor.

VII. CORRESPONDENCE AND PUBLIC STATEMENTS

Adam Boozer, 1180 Manor Lane, stated that for the past 2 years, he has kayaked the same route from his house to the 526 Bridge. He said when kayaking, he picks up the trash in the creek. He said what he consistently finds are tons of plastics, Styrofoam, and some of the items referenced in the proposed ordinance. He said he does not believe people intentionally throw these items out of their windows or their docks but wanted to provide a visual reference (provided pictures for Town Council), of items that end up in the creeks and waterways. He stated that he would also like to voice his support for the proposed ordinance.

Joe Calandra, 2514 Harriet's Island Court, said he is not here to discuss plastics, but Highway 17, which is failing. He said the design is failing, which is obvious. He said when traveling in the left lane, the egress lanes are too short and cannot accommodate the traffic and back up in the left lane, impeding traffic in that lane. He said more urgently, US Highway 17 is disintegrating, which is a significant issue. He said there are longitudinal fissures, and it is pumping, which are all signs of failure. He said typically commercial roads such as this have a 20 to 30-year

lifespan warranty. He said that he is pleading with Town Council to notify the engineers and contractors to fix the roads before it becomes a real issue and the taxpayers have to fix them. He would also like to thank Town Council for getting the on-street parking off Coleman Boulevard. He said the design of the bicycle lane was only four feet wide, which is against the National Highway Safety Traffic and Administration's recommendations, as well as the American Association of State and Highway Transportation Officials. He said that the engineering firm that designed this, put a four-foot lane with the on-street vehicle parking, which would have put the Town at a huge liability risk. He added that Council Members were more intelligent than the engineers for eliminating the on-street parking. He said he understands there will be a median along Coleman Boulevard and will once again plead with Council to increase egress, because the engineers once again, designed them too short.

William Hamilton, 32 Sowell Street, said he has been picking up Styrofoam and plastic in the Town of Mount Pleasant since the Bicentennial, with Troop 11 as a Boy Scout. He has also been working for over a decade on the Town's public transit issue. He is beginning to believe that we will have \$600 million dollars for better public transit for our Town and our region before we will get rid of the trash. He said he has been out to Mathis Ferry Road, on the creeks and the beaches and has cleaned up bus stops hundreds of times. He said there is nothing nastier than a plastic bag filled with slimy water to start your day. He said that he is tired of cleaning up the Koch Brothers' trash. He said the Koch Brothers are billionaires and are behind the efforts around the country to stop the bag bans. He said they are the people in Columbia trying to get the Legislature to take the power of our Town away. He said if they want Mount Pleasant to be trash free and plastic to be legal, tell them (Koch Brothers), to endow a fund to go out and pick up the trash. He added that if Council does not pass this ordinance, he is no longer picking up trash, because 40 years is enough.

Melissa Eckert, 1601 Dorrington Street, and said that she is not 100% knowledgeable of what is being passed with the bags. She said that part

of it is because they were not properly notified. She said she also works for a restaurant community here in Mount Pleasant and would ask Town Council to consider the impact they would be making on the local businesses that are here in Mount Pleasant. She understands the passion about picking up the trash; however, it is not the restaurant operator's fault that people are not disposing of their trash properly. She has also heard that what restaurants do or do not do with the plastic is going to be enforced by local law enforcement. She said as a spouse of a local law enforcement person, she understands that they have other things to do than police the local restaurants. She said along with being a parent of a child at the largest high school in the State, she would think that resources could be dedicated to help secure the schools to ensure there are no school shootings.

Christine Von Kolnitz, 1071 Cottingham Drive, stated that she is against plastic bags and in favor of the bag ban. She read an article about a whale that died because it had too much plastic in its belly. She feels that we are making a choice between local businesses such as the shrimpers and fisherman who want to sell their product to people to eat. She said all the plastic ends up in our waters; there is so much overwhelming evidence of this. She said it must stop and it will not stop because a business needs the right to give us a bag. She said we can all bring our own bag. She said it is only going to stop if we stop it. She asked Council to think about this.

Elaine Blaisdell Taylor, 13 Duany Road, said that she keeps hearing from Town Council members that the community has been informed about this new proposed ordinance that they are passing. She said today she called seven restaurants and only three were aware of the ordinance and the other four were flabbergasted and could not believe that this was being considered and they were not aware. She said most do not have an issue with the plastic bag ban, per se, because it is easy to take a reusable bag to the grocery store. However, the Town is asking small businesses to replace the way they provide food for takeout. She spoke to several business owners who felt it was another regulation that was taking profits from their businesses and not allowing them to pay their

employees more. She asked Town Council to think about the implications on the businesses. She said everyone wants the environment to be nice, but it must be done in a way, so the community is aware before the Town starts cutting into their bottom line, yet again, with another regulation that they are not aware of.

Olivia Owens, 325 North Hobcaw Drive, said that she is in the third grade at James B. Edwards in Mount Pleasant. She supports the ban on plastic bags in Mount Pleasant because (1) they pollute our lands and water, (2) they are damaging our wildlife, (3) they take ten to twenty years to decompose, (4) only about 5% end up being recycled anyway. She said solutions are to give away reusable bags, use paper bags or ban plastic bags altogether so people have to use another type of bag. She hopes Council will do the right thing and ban plastic bags.

Logan Cease, 1553 Glen Erin Drive, said he is a consumer and eats at a lot of the restaurants in Mount Pleasant. He said that he also knows that restaurants are giving out plastic forks and knives because it is easy. He said the same thing with straws, because most do not really need them, but take them because it is easier to drink with them. He said all of this ends up in our waterways. He said he does a lot of cleanups with Charleston Waterkeeper and they are constantly finding straws and plastic bags in the water. He said although it may be difficult to enforce or for businesses to comply, it will still go a long way to set the tone for the Town in making a difference.

Christine Shaeffer, 63 Vincent Drive, wanted to commend the young lady from the third grade for her words and is reminded that her own granddaughter spoke to Town Council when she was eleven years old, five years ago, and Town Council has done nothing about this very important problem of plastics on our sidewalks and in our oceans. She demonstrated a small bag that can be easily kept in your handbag and is washable. She said you can carry your leftover meals from a restaurant in one of these. She said she recently went to a restaurant and when asking to take her leftovers home, it was provided in a cardboard container. She said you can also drink your beverages with a paper straw instead of a plastic straw. She said many of the businesses

have adopted different techniques to get the plastics and Styrofoam out of our communities.

Mayor Haynie stated the next item was amended on the agenda and moved to follow Correspondence and Public Statements.

Final Reading: An Ordinance amending Title V (Public Services) by adding a new Chapter 53 pertaining to environmentally acceptable packaging and products. (Ord. No. 18024)

Mr. Owens made a motion to approval final reading of ordinance 18024, as amended by the Police Legal & Judicial Committee, in addition to comments made by members of Council; seconded by Mr. Santos.

Ms. Landing stated that there has been a tremendous amount of emails for the past several weeks and more in support of a plastic bag ban or a plastic ordinance. She said it does appear that there is a sense that this is not what Council wants. She said she was the one member in opposition to sending this for second reading. She felt it was appropriate to speak this evening so that the public is aware that this is not because she is in favor of plastic or Styrofoam. She would like to clarify and then provide a short presentation. She stated that she is a very strong advocate for recycling, reducing and reusing and is very concerned about the environment. Her undergraduate degree is a Bachelor of Science and Biology from Duke University and she studied for a summer semester at Duke Marine Lab where she put on waders and was out in the creeks collecting research and picking up trash. She said that the two vehicles in her family both have at least 10 reusable bags that she uses every time for shopping and has done so for many years. She said that she and her husband support the Nicholas School of the Environment financially, which is a top school related to this subject. She does not like straws except for when drinking a smoothie. She always refuses them or hands them back, because they are given out whether you want them or not. She said personally, the big issue is that we need to focus on a few key points. (1) This ordinance was only introduced two months ago and we only began looking at it in February. It was conceived several years ago after the Isle of Palms passed their bag ban, but it has only been in front of this Council for two months.

This ordinance will likely affect many businesses to either shrink their margins or force them to raise the prices. Perhaps this is a small price to pay for our environment but she feels they should have been contacted and surveyed several months ago, if not more. She said businesses are tax payers in Mount Pleasant and are typically residents here, so the impact on them should have simply been considered. She said one of the previous speakers went out and spoke to businesses and she has done the same. She is on the Economic Development Committee and actually addressed this issue but felt that they should really reach out to the business community, just so they are aware. She found that virtually everyone she spoke to from Bambu, Senior Tequila, Sticky Fingers, Harris Teeter on Highway 41, as well as others, did not know anything about this, because it is not a plastic bag ban. She said prices for prepared food in Mount Pleasant already have an 11% combined sales tax, higher than many other surrounding areas. She said contrary to a recent news story of three businesses that say this will not affect them, many businesses have told her that it will likely increase their cost by at least 10% to 15% per meal. Are they able to handle this in time? Most likely, but why not give them the opportunity to digest this information before the Town has a ban with fines, penalties and even potentially revocation of their license hanging over their head. She said this ordinance will impact the lives of nearly every single resident in Mount Pleasant every week, yet many of our residents still do not know the full scope of its provisions. She said there has been a great deal of discussion about the “rush” and the reason we have to rush is because of the Home Rule Ban potential. She said she is absolutely against banning Home Rule and believes communities such as ours should absolutely have their own ability to pass what is appropriate for our community. She said the grandfathered deadline regarding state legislation against Home Rule was January 31, 2018. She said if the Home Rule ban passes the Senate, this ordinance was introduced too late and was introduced in February. She said if the issue is tabled until next session, then Council has at least six months if they decide to change the grandfathered in date, so why is the Town rushing instead of taking a little more time to make sure more people are aware of it.

She said that voluntary programs by the environmental groups, have programs that they have used such as “Strawless Summer” and “Platinum Partners” and these actually had a positive effect on subsequent marsh, creek and beach sweeps, but were not continuous or not advocated for on a broad basis. She said this is why she would like to introduce a program this evening that came from these environmental groups (Surf Riders, Charleston Waterkeeper, Coastal Conservation League and South Carolina Aquarium). She said prior to showing the presentation, she would like to make one more point. She said one of her dearest friends whom she has know for 33 years, was a teacher at Mamie Whitesides Elementary for a very long time and she was the gifted and talented teacher. She brings her up to honor her with this comment. She said she was in a gifted and talented class in high school and they were supposed to design a perfect community. She said they met together, brainstormed, collaborated and spent hours, and then went back on their own and wrote their papers about what it would be like to have a perfect community. She said the key of all of this is that they collaborated and worked together. She asked Council to keep this in mind as she shows the slides. She said that first is information about why she has issues with this ordinance.

PROBLEMS WITH THE ORDINANCE

Conflicts, Confusing Language, and Possible Unintended Consequences

She said this is a large piece of regulation/legislation and Council has only spent two months discussing this issue.

CONFLICTS IN THE ORDINANCE

- **53.02: SINGLE-USE PLASTIC CARRYOUT BAGS**

- **(a) No Business Establishment, Food or Grocery Establishment, or Food Provider may provide Single-Use Carryout Bags at any Town Facility, Town-sponsored event, or any event held on Town property.**
- **(b) Upon specific request of the customer, Business Establishments, Food or Grocery Establishments, and Food Providers within the Town limits may provide single use plastic bags.**

Is this a “plastic bag ban” or isn’t it? The overwhelming majority of citizen emails in support of this ordinance specifically mention their concerns about single-use plastic bags and their support of these being banned. The above section of the Code does not ban plastic bags at all except for on Town property and events.

Ms. Landing stated that what she would like to point out is item (a). She said this specifically refers to anything that are Town of Mount Pleasant functions. She said this has been corrected since she put the slides together. She said the correction was to correct (b). She said as of yesterday morning, we did not have a plastic bag ban. She said she understands this is what most in attendance are here for, but that is not what the ordinance said. She said those in attendance are probably wondering how Town Council could have done all this work and spent all this time reviewing this but did not even indicate that you have to have only paper or reusable bags. She read item (b). She said this is the establishments asking, “Would you like paper or plastic?”. She said that we have had this for years and is what is in place now. She said as of yesterday morning, that wording has been corrected so the Town does, in fact, have a plastic bag ordinance in front of you.

CONFUSING LANGUAGE

- **53.05: PROHIBITED SALES**

- (a) No Business Establishment, Food or Grocery Establishment, Food Provider, or event promoter within the Town of Mt. Pleasant may sell, rent, or otherwise provide any polystyrene/plastic foam product which is not wholly encapsulated or encased within a more durable material, except as exempted in this Ordinance. This specifically includes, but is not limited to, cups, plates, bowls, clamshells, bags, and other products intended primarily for food service use, as well as coolers, containers, ice chests, shipping boxes, or packing peanuts.

This sounds like the Town of Mt. Pleasant is telling all stores they cannot sell any Styrofoam cups, plates, etc... at all. If you go into any store in town right now, consumers have lots of choices including lots of plastic and Styrofoam items. Is this ordinance actually saying the Town requires all stores to wipe out entire shelves full of choices for consumers? Do any of the grocery stores or big department stores such as Wal Mart and Target have any idea of this?

Ms. Landing stated that 53.05 states “Prohibited Sales” and read item (a). She said what she believes this says is that the Town of Mount Pleasant is telling stores that they cannot sell any Styrofoam cups, plates, etc., at all. She said some people may think this is good because it is bad for the environment. She said if you go into any store in Town right now, consumers have a number of choices, including a number of plastic and Styrofoam items. She asked if the ordinance is actually saying that the Town requires all stores to wipe out entire shelves full of choices for consumers. She asked if any of the grocery stores or large department stores, such as Wal-Mart and Target have any idea about this ordinance. She said she points this out, because this is in the ordinance and a lot of people are not aware of the change.

CONFUSING LANGUAGE

- **53.04: DISPOSABLE FOOD SERVICE WARE**

- (a) All Food or Grocery Establishments and Food Providers within the Town of Mt. Pleasant utilizing Disposable Food Service Ware shall use recyclable or compostable products, subject to the provisions of 53.04(b) and 53.06 and 53.07.
- (b) Upon specific request of the customer, Food or Grocery Establishments and Food Providers may provide Disposable Food Service Ware.

What does this mean? Does this mean if the customer asks for plastic or Styrofoam, the vendor can provide it? This is similar to the one that says the store cannot have plastic bags, but the customer can specifically request plastic bags.

She said more confusing language is 53.04: Disposable Food Service Ware. She read (a) and (b). She asked what this means. She asked if it means that if people request plastic or Styrofoam, it can be provided. She asked if this was also a mistake.

UNINTENDED CONSEQUENCES

53.03: POLYSTYRENE/PLASTIC FOAM DISPOSABLE FOOD SERVICE WARE

(a) Business Establishments, Food or Grocery Establishments, and Food Providers within the Town of Mt. Pleasant may not provide food in any Disposable Food Service Ware that contains polystyrene/plastic foam.

53.06: EXEMPTIONS FOR RECYCLABLE OR PROPERLY COMPOSTED FOOD SERVICE WARE AND OTHER POLYESTERENE/PLASTIC FOAM PRODUCTS

(j) Any product purchased, prepared or packaged outside of the Town of Mt. Pleasant and sold in or delivered into the Town are exempt from the provisions of this Chapter.

In other words, if you are a business such as a caterer with your location headquartered in Mt. Pleasant, paying property taxes, business license fees, and sales taxes to the Town, you have to comply, but your competition from outside Mt. Pleasant does not. You will be at a cost and convenience disadvantage for competitive bids; thereby punished for having your location here. Are we trying to drive businesses out of the Town?

Ms. Landing read the above slide. She stated that this means if you own a business, such as catering, with your location headquartered in Mount Pleasant paying property taxes, business license fees and sales taxes to the Town, you must comply with the ordinance. However, your competition from outside the Town of Mount Pleasant does not. She said the Town's businesses will be at a cost and convenience disadvantage for competitive bids; thereby punished for having your location here in the Town. She asked if we are trying to drive businesses out of the Town. She said an example of this is the discussion she had with Rob Patterson of Sticky Fingers. She said they have been awarded by the Town for all their service to the Town. She said they are a huge catering business and believes that they regularly obtain contracts with the Yorktown. She said they do hundreds of thousands of meals per year. She said he told her, "Imagine trying to serve people barbequed chicken with sauce all over it, pulled pork, green beans and salad, when sitting at an RV at the Yorktown and having it on a paper plate. He said

he did not know what he was going to do, but it is likely going to cost at least \$1.00 per meal more, and in this case, is a very big disadvantage from a competitive standpoint to other communities around the area.”

Ms. Landing stated that the next slide is the Enforcement and Penalties.

UNINTENDED CONSEQUENCES

- **53.08: ENFORCEMENT AND PENALTIES**

- (b) If a Police Officer determines that a violation of this chapter has occurred, he/she will issue a written warning notice to the owner....
- (c) Any Food or Grocery Establishment or Food Provider that violates or fails to comply with any of the provisions of this chapter after a written warning notice has been issued for that violation shall be subject to a civil penalty that shall not exceed \$200 for a first violation, \$350 for a second violation within any 12 month period, and \$500 for each additional violation within any 12 month period. Every 30 days that a violation continues will constitute a separate offense.
- (d) In addition to the penalties set forth in this section, repeated violations of this chapter by a Person who owns, manages, operates, is a business agent of, or otherwise controls a Food or Grocery Establishment or Food Provider may result in the suspension or revocation of the business license issued to the premises on which the violations occurred. No Town business license shall be issued or renewed until all fines outstanding against the applicant for violations of this chapter are paid in full.

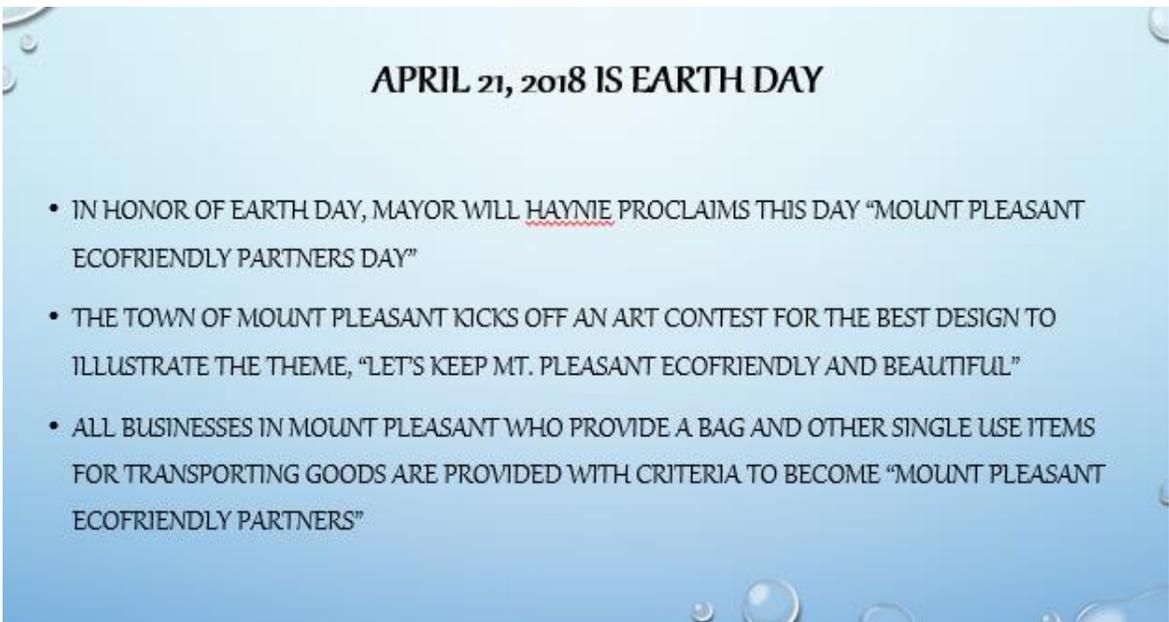
Is the Town of Mt. Pleasant willing to drive businesses out of town unless they comply with rules that do not exist in Charleston, North Charleston, Goose Creek, James Island, Summerville, Awendaw, McClellanville, etc...? Be careful what you wish for, because you just might get it. Also, why does this only mention Food Establishments? What about all the other stores that are required to not provide plastic bags? Is their part of the Ordinance not enforced? If not, why are they even included in the ban at all?

She asked if the Town of Mount Pleasant is willing to drive businesses out of Town unless they comply with rules that do not exist in Charleston, North Charleston, Goose Creek, James Island, Summerville, Awendaw, McClellanville, and so on. She said to be careful what you wish for, because you just may get it. She asked why this only mentions food establishments. What about all the other stores that are required not to provide plastic bags and asked if their portion of the ordinance is not enforced. If not, why are they even included in the ban at all. She said before she continues to the next slide, her point is that the Town rushed this. She said it has been said that this was worked on for several years; however, not by this Council. She said her concern and reason for standing up at the meeting last time was because she felt that this was not ready and there was still a great deal of work to be done. She asked if there is another way that this can be accomplished. She said her #1 concern when she heard about this the first time, which was in the Public Services Committee when Councilman Owens, who is the

Chairman, introduced it. She said she would like to thank Councilman Owens, because this is an enormous issue and we do want to address it but thinks we can all work together on it.



Ms. Landing stated that she would like to introduce Mount Pleasant Ecofriendly Partners. She said her biggest concern was that the ban would roll out after a year, but what happens to the environment over the next twelve months. She asked if we cared about the marshes and creeks. She said if we are going to do something, why not do it where you obtain a lot of information and roll it out in a shorter period of time.



She stated that this is what she would like to introduce and will do so in the form of a motion and a second.

Mayor Haynie asked if Ms. Landing was making a motion to introduce this.

Mr. Santos stated that there is already a motion on the floor.

Mayor Haynie stated that there is currently a motion on the floor to approve second reading of Ord. No. 18024, as amended. He said under Council's rules, Council members may make individual amendments and vote on those as they are editing this. He asked Ms. Landing to clarify if she is making a motion to replace the ordinance or to amend it.

Ms. Landing stated that she needed to share this with everyone and did send Council members an email that she would be introducing this and did reach out to as many residents as possible. She stated in honor of Earth Day on April 21st, Mayor Will Haynie could proclaim this day "Mount Pleasant Ecofriendly Partners Day". She stated that the Town kicks off an art contest for the best design to illustrate the theme, "Let's Keep Mount Pleasant Ecofriendly and Beautiful". She said all businesses in Mount Pleasant who provide a bag and other single use items for transporting goods are provided with criteria to become Mount Pleasant Ecofriendly Partners.

MOUNT PLEASANT ECOFRIENDLY PARTNERS CRITERIA

- BUSINESSES CHOOSE FIVE OPTIONS FROM THE LIST OF ECOFRIENDLY PRACTICES
- BUSINESS OWNERS/MANAGERS SIGN A PLEDGE TO FOLLOW THESE PRACTICES FOR ONE YEAR
- THE TOWN OF MOUNT PLEASANT, WORKING TOGETHER WITH ENVIRONMENTAL GROUPS, LOCAL MEDIA, AND OTHER INTERESTED PARTNERS PROVIDES POSITIVE PUBLICITY FOR BUSINESSES THAT "TAKE THE PLEDGE"
- THE TOWN OF MOUNT PLEASANT WILL PROVIDE FIFTY REUSABLE BAGS WITH THE SLOGAN AND DESIGN FOR THE FIRST ONE HUNDRED BUSINESSES IN TOWN WHO "TAKE THE PLEDGE"

She stated that the Town would need to send a mailing to notify them if we do vote on a ban this evening. She said instead, we send them this, where they are able to participate if they choose to. She read the list of criteria. She stated that one speaker asked about giving out reusable bags, and this is suggested in the last bullet point, with the slogan and design for the first 100 businesses in Town to “take the pledge”. She said one thought she had was to have five designs selected by the Town Human Resources Department who indicated that they would be willing to help with this project. She said the designs could be posted online and have the citizens vote on the best design.



ONGOING SUPPORT FOR THIS INITIATIVE

- THE PUBLIC SERVICES AND HUMAN RESOURCE COMMITTEES OF TOWN COUNCIL WILL WORK TOGETHER ALONG WITH THE ASSOCIATED DEPARTMENTS OF THE TOWN TO STAY IN TOUCH WITH BUSINESSES TO ASSIST THEM IN “KEEPING THE PLEDGE”
- LOCAL ENVIRONMENTAL GROUPS CAN HELP LEAD MARSH, CREEK AND OTHER LITTER SWEEPS TO INCLUDE VOLUNTEER EMPLOYEES FROM BUSINESSES WHO CHOOSE THIS OPTION IN THEIR PLEDGE
- THE PUBLIC SERVICE DEPARTMENT CAN ASSIST WITH PROVIDING DATA AS TO THE IMPACT OF THIS INITIATIVE

Ms. Landing stated that the next slide is the list of possible options, which is key. She said in the event the public is not aware, the spiral straws that are made of paper, are very expensive at 24 to 28 times the cost of plastic, but the great news is if you do not give them out unless they are asked for, you do not have to give out as many. So, it is very easy to make this switch.

ECOFRIENDLY PARTNERS POSSIBLE LIST OF OPTIONS

- PROVIDE STRAWS ONLY ON REQUEST, AND SWITCH TO NON-PLASTIC STRAWS
- SWITCH ALL TAKE OUT CONTAINERS TO COMPOSTABLE MATERIAL
- SWITCH ALL CUPS TO COMPOSTABLE MATERIAL
- STOP USING/PROVIDING PLASTIC BAGS
- PROVIDE AT LEAST ONE EMPLOYEE PER QUARTER TO PARTICIPATE IN CLEAN SWEEPS OF MARSHES, CREEKS, ETC...
- ADOPT A ROAD OR HIGHWAY ONE MILE SECTION IN MOUNT PLEASANT FOR THE BUSINESS TO KEEP CLEAN ONCE A MONTH
- STOP SELLING POLYSTYRENE (STYROFOAM) PRODUCTS TO CUSTOMERS (FOR RETAIL STORES)
- PROVIDE RECYCLING FACILITIES ON PREMISES
- CREATE A COMPOSTING AREA (WHERE FEASIBLE)

She said they could switch all takeout containers to compostable material. She said to keep in mind that the Partners could choose five of these. She said she just learned about the wonderful composting facility we have on Bees Ferry Road in Charleston. She is aware that many Mount Pleasant restaurants are not taking advantage of this, so this would help them become more aware and start taking advantage of it. She said by being able to choose the options and being able to buy into this program, this is collaboration, allowing businesses to do what fits their business model the best and not feel that they are being forced to do so.

BENEFITS OF THIS INITIATIVE

- BUSINESSES WILL SEE THAT THE TOWN IS REACHING OUT TO PARTNER WITH THEM, CREATING A POSITIVE ATTITUDE.
- THIS INITIATIVE CANNOT BE STOPPED BY THE PROSPECTIVE ANTI-HOME RULE LEGISLATION IN COLUMBIA.
- OUR POLICE WILL BE ABLE TO CONTINUE THEIR GREAT WORK FIGHTING CRIME, NOT PLASTIC AND STYROFOAM.
- MANY BUSINESSES MAY CHOOSE TO ADOPT A HIGHWAY AND/OR HELP CLEAN THE MARSHES AND CREEKS. NOT ONLY DOES THIS ADDRESS THE RESULTING PROBLEM OF LITTER, **IT MAY CONVINCE THEM WHY WE NEED TO GET RID OF PLASTIC AND STYROFOAM AS QUICKLY AS POSSIBLE** WITHOUT A BAN.
- **THIS INITIATIVE WILL START IMMEDIATELY AS OPPOSED TO WAITING ONE FULL YEAR.** LET'S GET GOING NOW TO CLEAN UP MOUNT PLEASANT AND KEEP HER THAT WAY!
- THE COMMUNITY BUILDING SPIRIT IS INFECTIOUS – RESIDENTS AND TOURISTS ALIKE WILL SEE OUR EFFORTS AND WANT TO PARTICIPATE.
- WE AS A TOWN MAY SERVE AS A MODEL FOR OTHER COMMUNITIES THROUGHOUT THE COUNTRY. MANY PLACES WHERE BANS ARE IN EFFECT ARE DEALING WITH NEGATIVE ISSUES; WHEREAS WE WILL BE ABLE TO DEMONSTRATE THAT YOU CAN GET IT DONE WORKING TOGETHER!

Ms. Landing reviewed the benefits of the initiative.

Ms. Landing made a motion that we amend the proposed ordinance and replace it with an initiative called Mount Pleasant Ecofriendly Partners so that at least for the next six months we can give this a try working together before we decide and vote on a ban.

Mayor Haynie asked for Legal Counsel's ruling. He stated that there is a motion and a second on the floor to approve the ordinance, as amended for second reading. He asked Legal Counsel if this motion can be presented at this time, because it would be replacing the ordinance that is before Council.

Mr. Pagliarini stated that it is couched as an amendment. He said in order for the proposal to have effect, it would have to be generated as an ordinance from Council from the start. He believes Council may vote on it as an amendment but should understand that it has the effect of terminating this ordinance, which would be the effect it has tonight, but it would have to start through the public process again.

Mayor Haynie clarified that Ms. Landing's motion is as an amendment to Ordinance 18024. Mayor Haynie asked if there was a second to Ms. Landing's motion.

Hearing none, Mayor Haynie stated that the motion fails due to the lack of a second.

Mayor Haynie stated that there are many things that have merit that he is willing to work on; however, he is not personally willing to completely replace the current ordinance being addressed on the agenda. Mayor Haynie stated that there is a motion and a second to approve Ord. No. 18024, as amended, which is now open for discussion.

Mike Johnson, 1304 Lake Bluff Court, stated that he agrees with Ms. Landing and knows that there are issues that need to be addressed. He said when he was walking into Chambers, Ms. Olivia Owens was right in front of him. He was hoping she was not going to speak before him. He said she did a great job. He said what bothered him about the information he received was that national studies indicate that incentive-based education and volunteer programs are not significantly

effective tools in addressing the problems with litter. He said he does not believe this to be true in Mount Pleasant and believes there are people like Mr. Hamilton that pick-up trash. He said he wishes there were more people like him. He said when you think of the children like Olivia Owens and all the others here in this meeting, they are all doing the right thing. He thinks that over time, we are going to solve this problem without having to have ordinances to correct it.

Ryan Cockrell, 932 Ashley Avenue, stated that plastic is an amazing invention, much like lead paint and asbestos. He said both products were useful, and people were willing to overlook the risks and health hazards until the government-imposed bans on those products. He said they are now taboo terms and induce fear. He said being the first to recognize a problem is difficult and wanted to thank Council for having the courage to be leaders on this and hopes that the City of Charleston and the rest of South Carolina will follow the Town's lead.

Mary Horres, 3224 Pignatelli Crescent, stated that she also supports this ordinance. She said we need to remember that it is not just the pollution today, but any plastic that is thrown out today will still be around when these third graders are long past being grandparents. She would like to encourage Council to pass this ordinance and does not want to see analysis-paralysis, but to do something.

Susan Thompson, 323 Bayview Drive, has lived in Mount Pleasant and the East Cooper area for over forty years and owns two small businesses in Mount Pleasant; one for over 33 years and one for 18 years. She said she is retired now, but both businesses are still in business. She said that she has come before Council twice to vote for this ban, because it is the right thing to do. However, today, she wanted to give Council another good reason to vote in favor of the ban. She said today she called the Horry County Solid Waste Authority and spoke to the Director of Operations. He told her that they have to shut down their machines twice a day to clear out the machinery. He told her that 90% of the issues are from disposable plastic grocery bags that are wrapped around the gears and parts of the machines. He said they lost two working hours every day from the problems the plastic bags cause. He

said sometimes they must shut down for a longer period to clear them out. He estimates that this problem costs over \$100,000 a year, every year. He said Charleston County is building their own facility and said they will have the same issues. She is asking Council to do the right thing, not only for the community and the environment, but because it is the right thing, economically and financially.

Janna Davis, 1251 Center Lake Drive, stated that Ms. Landing made great points and she appreciated all her comments. She said as the manager of Surf Rider Ocean Friendly Restaurant Program, as well as a resident of Mount Pleasant, she wants to say once again, that she does not believe a voluntary program will work. She said when they did “Strawless Summer”, there was so much excitement, but then over time, they all went back to their old ways of what is fastest and easiest. She said it requires a tremendous amount of manpower. She said they are all volunteers and have full time jobs. She said sometimes her volunteer job consumes her because it requires so much time. She said when they look at voluntary outreach options, they simply do not have the manpower. She also had another concern. She said there are thousands of workers coming in from Charleston and other areas that are Mount Pleasant restaurant workers and she does not see them getting engaged in a voluntary program. She said they do not live here so it is not their home. She said she does not order takeout from restaurants who use Styrofoam, so she does not believe restaurants realize how much they will lose in revenue by using Styrofoam, because she is not the only one who thinks like this. She said there are alternatives. She stated that some of the pictures that are being displayed were taken at a Surf Rider cleanup and only a sampling of what they picked up on the Causeway in two hours.

Sarah Hayes, 1 Duany Road, said that she believes the Town has all the data and studies and she does not represent an organization, but is a resident of the Town. She said not everyone feels comfortable to come up and speak and asked those who are in support of the ordinance to raise their hand or stand up. She learned a lot by reading the posts about how imperfect the language was and should be corrected to

make it right. However, regarding the timeframe to give businesses time to adjust to this; six months to get everyone cheerful about keeping Mount Pleasant clean versus twelve months for businesses to figure out the best way to adapt. There are best practices already nationally. She said we are not the first and could be the biggest in South Carolina, but it is done elsewhere successfully. She thanked Council for working towards the right thing.

Leah Colabello, 558 Palmetto Battery Way, has worked in the field of marine plastic pollution for more than five years and is commenting in support of Ord. 18024 and would like to address a conversation in Aspen that a Council member from Mount Pleasant had a few weeks ago. During that trip, the Council member spoke with Dr. Liz Chapman, City of Aspen's Waste Reduction and Environmental Health Specialist. The Council Member from Mount Pleasant posted a recap of the conversation with Dr. Chapman on a Facebook page claiming that Dr. Chapman was "shocked" by the procedures that are happening in Mount Pleasant regarding this ordinance. She said interestingly enough, she and Dr. Chapman know each other and were on an Ocean Plastic Pollution panel together in Aspen six months ago and she reached out to Dr. Chapman to clarify her perspective. She said it appears that Dr. Chapman was not made aware of many things during the conversation with a Council member from Mount Pleasant. Dr. Chapman clarified her position in an email to her that she provided to Town Council members this evening. She said Dr. Chapman did not understand that our Town, unlike hers, is racing against the clock to put an ordinance in place. Dr. Chapman said it was beyond belief that a State Legislature would strip a municipality of making a decision about single use plastics and did not understand this. At the conclusion of her email, Dr. Chapman provides excellent guidance and breaking news from Aspen, the Council there after talking to second graders, actually is now looking at a plastic straw ordinance. She said if Mount Pleasant looks to Aspen as a model city, bear in mind that Dr. Chapman has advised the Town of Mount Pleasant that good governance is recognized when ordinances are required to change practices. She said sometimes this happens quickly and other times, it can take years. She said circumstances dictate how urgently we

must move from voluntary actions to required. She hopes Mount Pleasant is able to navigate this current issue in a way that serves the needs and long-term benefits of the Community in a timely manner. She said the Town's circumstances are quite different from Aspen. The Town is facing a critical moment, because the State Senate has HB3529 pending that would restrict forever, the ability of municipalities, including the Town of Mount Pleasant, to limit the impact that single use plastics have on our environment. She said if the bill passes the Senate, the window of opportunity to reduce plastics that are polluting our environment is closed forever; therefore, she urges Town Council to vote in favor of ordinance 18024.

Kristy Hollins, 196 Hibben Street, stated that she loves being outdoors and spends time at the marshes, at the beach and in the water. She participates in cleanups along Ben Sawyer. She said plastic bags, Styrofoam containers, straws and other single use plastic items are the primary items she has collected. She said there is a tremendous amount of waste already. She said our community needs to take a stand, as well as a step forward with this decision. This ordinance will prevent plastic waste in our waterways and protect Mount Pleasant's fisheries, wildlife, our community's health and wellbeing and our tourism economy. She stated that we are out of time.

James Garden, 205 Ferry Street, stated that he strongly supports less plastics in our environment. He lives on the marsh and walks down his dock everyday and needs a long grabber to pick up all the plastic cups and Styrofoam containers that he sees every day. He said he does not want this for him and the future of Mount Pleasant.

Sarah "Sally" Jacob, stated that she is here on behalf of Seniors. She said seniors can carry reusable bags. She lives on the upper reaches of Shem Creek, close to Bowman Road and has a kayak. She uses her kayak and picks up trash. She also believes that the types of restaurants the Town wants are willing to step up and she is willing to pay the extra dollar.

Joe Calandra, 2514 Heriots Island Court, stated that Council Member Landing is an open speaker Duke graduate; however, the individual

from Sticky Fingers was hoodwinking Ms. Landing. He said that you can purchase 30 paper plates that will sustain sauce for \$3. He said he did the research on paper take out containers versus Styrofoam, which is approximately 10¢ to 25¢ more each. He said he cannot stand government regulations; however, the government is here to protect us. He said as a prior speaker stated, we had lead and asbestos, and now we have plastics. He stated that he is in favor of the plastic ban. He said it is obvious people have not volunteered to pick up trash. He said he believes the idea is great in addition to the plastics ban – not in place of it – but in addition – to attempt to get people on board. He said this is America, where we are overweight, lazy and want a pill for everything. He said people are not going to go out picking up trash voluntarily. He said he is all for the ban, and boycotts businesses that give Styrofoam.

Jim Wright, 2725 Oak Manor, stated that he is a food business owner in the Town and said this will affect him. He hates litter and the single use plastic bags and it is difficult to vote against the environment, which is what this may come across as, but it is not. He said that a “no” vote this evening is a “no” to how the ordinance is written. He does not believe it is well thought out. He said he lives on the marsh and picks up trash all the time. He said the ordinance has numerous implementation and enforcement gaps. He challenged everyone that has had a chance to speak this evening, to read the ordinance. He said it covers a lot and is much more than a plastic bag ban. He stated that this should not be a police officer’s job, but a code enforcement’s job. He said the police have more important things to worry about. He said this on top of the impact fees and other taxes in this Town, will be significant. He said this is significantly more than a restaurant ban. He said to think about what will be transpiring in the super markets, Target, Wal-Mart, as he does not believe they are prepared. He said there is a great deal of plastic that will come out of those stores that will go into the waste stream. He suggested fixing the ordinance. He has studied this in his business and has three items out of 45 or 50 that we purchase currently and is unable to find an alternative to. He said whether it is cents or percentages, he goes by the dollars. He said he will pass it along somehow. He said most

of the items that are put in recycling are not getting recycled as we think, but instead, ending up in the landfill.

Henry Brant, stated that he is the Chief Operating Officer of Coastal Expeditions, Inc., on Shem Creek. He said that they are an eco-touring company and have become a beacon for most other places in the county to look at as the best place to live. He said people are moving here at an alarming rate, which we must also manage well. He said we have to make a choice between doing what is right and what is easy. He said sometimes the right choice it not the easy choice, which is what we are faced with now. He said he does reject the idea that those that do go and spend their time and money to pick up garbage are responsible for this. He said he accepts positive change and no procrastination. He thinks that it is time that we all be responsible and make the right choice. He said this will affect everyone.

Jessica Herbert, 1622 Rifle Range Road, said that she would like to discuss, not the plastic that we see, but the plastic we do not see. She said when all these plastic items are not picked up from our marshes, they turn into microplastics, which are 5 millimeters or less. She said they pose a much larger problem. She said microplastics are not only able to block the digestive track of the shrimp population, but also have a bile film that forms on them, which is like an algae slime. She said that algae slime accumulates heavy metals which we have a high concentration of in our harbor. She said it accumulates dioxins which is a byproduct from our paper mill, accumulates any flame retardants or other chemicals, persistent organic chemicals that are in our harbor, and accumulates up the food chain. She said they end up in people that eat our fish and seafood. She said she has taken over the course of three years, over 80 samples with her high school students of microplastics from our beaches and they have never found a sample that does not have microplastics in them. She would urge Council to look at the scientific and economic evidence and learn from the businesses that have already shifted away from the single use plastics and use that to guide Council's decision.

Kelly Thorvalson, South Carolina Aquarium, stated that she has provided comments regarding the increases in plastics that have been ingested by sea turtles, as well as information about the plastic bags being the second most harmful item to marine life, after ghost fishing gear. She provided slides with data that has come from the Aquarium Citizens and Science App, the Litter-free Digital Journal. She said 36% are plastics that have been collected and documented. She said cigarettes also contain plastic, and the third is Styrofoam. She said polystyrene (Styrofoam) is known to be made from chemicals that are hormone disrupters and possible carcinogens, and we do not want these in our waterways. She said if you take plastic and break it down to types, the additional two items proposed in the ordinance, plastic bags and straws, are two of the seven more commonly reported plastic debris in the litter free digital journal. She said the average person utilizes approximately 300 bags per year and if Mount Pleasant were to pass this ordinance, considering only half of the population may be taking single use plastic bags from businesses, this ordinance would keep somewhere in the realm of 12 million bags per year out of circulation. She said that does not include the bags that will be given to everyone coming into Mount Pleasant to shop. She said it makes sense that keeping 12 million bags out of circulation within a community would reduce the number of bags within the littering community. She said research shows that implementing bans such as these, do work to reduce the plastic. She said the “Good Catch Platinum Partner Program” is amazing, but data does show that voluntary action alone is not enough to deal with the overwhelming plastic pollution that plagues our coast.

Caroline Bradner, Coastal Conservation League, 328 East Bay Street, stated we all need to work together to break our plastic habit and cultivate a more conscious mindset about what we use, what we throw away and what happens to our waste long term. She said the well intentioned voluntary and incentive base programs do not yield the results associated with bans. We see this even when programs involved collaborative efforts between businesses, citizens and governments. She said in 2005, San Francisco coordinated an effort between the City

and Grocery Association to reduce plastic bag usage. The program was deemed a failure by 2007. She said the City passed their ban in large supermarkets and pharmacies the next year and extended the ordinance to all retail and food establishments by 2012. She said Los Angeles tried a program in 2008 that focused on consumer education and training. At the end of a two-year long campaign with a goal that was only trying to reduce by 30%, the County determined that it was not successful in reaching its goals and passed a ban the following year. She said the City of Charleston also attempted a similar program called Sustainable Business Awards in 2004, which died within the year. She said voluntary measures are appropriate in some cases, particularly when you have the time to try several different options. She said she was alerted today that H3529, the State bill that would prevent any local regulations of these products whatsoever, has been scheduled for debate in the Senate Labor, Commerce and Industry Committee this Thursday. The vote is expected to be very close and if it passes out of Committee, it will be on the Senate floor as early as next week and could potentially become State law in a matter of weeks. She said we must be focused on implementing our most effective strategy before it is too late. Ordinances such as the one being addressed tonight have been proven to work. She said San Jose's ban led to a plastic litter reduction of approximately 80% in their storm drain system, 60% in their creeks and rivers and 59% in their city, streets and neighborhoods. She said in our backyard, Folly Beach has seen a nearly 79% decrease in plastic bag litter since enacting its ban. In contrast, research has shown that incentive programs and educational campaigns result in changes in behavior of approximately 2%. Please consider the urgency of tonight's vote. The time to address this problem is now, and we are so proud of Mount Pleasant leadership for working to make history.

Marlow Shedlock, 468 Huger Street, is the Chairwoman of SurfRider, Charleston. She said they have been cleaning up and have adopted a highway from Sullivan's Island to Mount Pleasant and will be having another cleanup up on May 5th. She said they set up at Prime Time fitness on the Mount Pleasant side. She said it takes a great deal of effort to coordinate volunteers. She understands where Ms. Landing is

coming from, but her comments about having this as a voluntary option, she would like to know who is going to oversee it. She would also like to know who will absorb the cost and who else will be involved. She said it will take a great deal of people-power. She said she would like to reiterate that when they do the clean-ups from Sullivan's Island to Mount Pleasant, it is plastic bags and Styrofoam. She said the time is now, because we cannot continue to trash the environment. She said tourism and the fishing industry rely on a clean pristine environment.

Andrew Wunderley, Charleston WaterKeeper, thanked Town Council for their incredible leadership on this issue and all the work to raise awareness and the Town's effort to reduce plastic pollution. He said they supported the Isle of Palms and the City of Folly Beach in similar efforts and this ordinance has received the most attention, scrutiny and debate of any other ordinance they have supported. He said thoughtful consideration is good; however, now is the time to act. It has taken approximately two months for the Town to get from first reading to final reading and that is about the same amount of time it took similar efforts in Beaufort County, Hilton Head, Port Royall and Bluffton. The ordinance was published in the Post and Courier for the first time on February 6th and has been the subject of three Council meetings, five Committee meetings, at least ten local news stories and has been debated robustly on social media platforms. He said at Council's request, Charleston Metro and the Mount Pleasant Chamber of Commerce alerted their membership to the ordinance and no one responded, nor did they express opposition. He said even the Chambers themselves expressed "no position". He said that we have all heard a great deal about Town led voluntary programs and efforts, but those will require additional funding and staff from the Town to develop, implement and maintain and see through to the end. This ordinance will not require any of this. He said what it will do is help reduce the amount of plastic pollution in the Town's creeks and rivers and is narrowly tailored to get after the specific type of plastic pollution that is the worst, which is bags, Styrofoam and straws. He said the ordinance addressed this material, because it cannot be easily recycled in Charleston County's recycling programs. He said the ordinance contains

a long list of exceptions, but also has a one-year grace period for businesses to work through existing stock and find alternatives. He added that there is even a hardship exemption. He said local, regional and national businesses can and do comply with these ordinances and the incremental costs to the consumer is very small. He stated that we need strong, bold leadership from Town Council and their action tonight can make the Town a cleaner and healthier place for everyone. He said the Town is ready for it, the creeks and rivers are ready for it, our marine life is ready for it, so let's do it!

David Sullivan, 1404 Holt Street, thanked Town Council for all their wonderful options to educate people on compostable materials. He said this is a great way to lead, but it is not enough. He said single use plastics pollute the world more than driving cars. He said it needs to stop. He said to use your hands instead of putting things in a plastic bag. He said in 2015 there were 5.1 million tourists in the City of Charleston and \$3.58 billion dollars. Isn't there a program to give initiatives to restaurants to go compostable? Why don't we use a tax incentive? He said we not only pick up litter from ourselves, but from tourists. He stated that 8.7 plastic bags contain enough in petroleum energy to drive a car 1 kilometer. He said less than 5% of plastics are recyclable. Worldwide more than one trillion plastic bags are used each year, or more than one million bags per minute. All these bags equate to one million barrels of oil. He said that is a great deal of oil used on something with a 12-minute expectancy, which is the average usage of a plastic bag. Over 100,000 marine mammals and one million sea birds die every year from ingestion and entanglement of plastic and litter. He said that India has a huge program for using all their recycled plastic to make roads, which are more durable and last longer, and you are using recycled plastic that comes from oil. He said to enforce and educate.

Hannah Livingood, 514 Mill Street, said two years ago she moved to Charleston to pursue a career in outdoor education and is currently working with Coastal Expeditions as a naturalist and tour guide. She is very excited to work with campers again this year. She said that she along with her co-workers, depend on clean waterways for their

livelihood. She stated that it is treated as a learning opportunity when they do come across waste in our waterways. She said they put thousands of children on the water every year through their South Carolina Outdoor Education program but would love to see less waste in the waterways. She said overall, they are in support of the ban and she would like to be able to tell her clients that this municipality is taking steps towards decreasing the pollution and plastics here in the Town.

Mayor Haynie stated that there is a motion and a second currently on the floor. He called for a short break at 7:44 p.m., and reconvened at 7:53 p.m.

Mr. Bustos directed his question to Legal Counsel. He said between now and the time the ordinance takes effect, Town Council will be able to make amendments.

Mr. Pagliarini stated that as it currently came out of the Police, Legal & Judicial Committee, it is a year from the time this ordinance is executed until it would take effect.

Mr. Bustos asked if this could undergo continuous refinement going forward.

Mr. Pagliarini responded in the affirmative.

Mr. Bustos stated that for all who are present to support this ordinance, Council members received a great deal of emails with approximately 95% stating “single use plastic bags, Styrofoam and straws” and that was it. He is not sure if this was meant to be stated this way; however, the ordinance currently being voted on is far more than just this. He said he would likely support this, but it will undergo some refinement going forward, because an overwhelming majority of the emails were very narrow in their view, which will need to be resolved.

Mr. O’Rourke addressed his question to Legal Counsel. He stated, as a clarification, that Council may amend this ordinance after it is adopted. He said six months from this time, Council may find that they should have thought of something else. He said he will likely support this as well, knowing that the Town needs to act and do something. He said if

there are things that need to be changed, we can always change them later collectively as a group.

Mr. Brimmer stated that Ms. Landing's presentation was tremendous and added that she definitely has passion and he appreciates that very much. He stated that he does know if this necessarily has to be this ordinance or Ms. Landing's presentation. He believes they go hand in hand and should both go forward, because there are great ideas in there. He said there was some discussion about there being some confusion in the latest version of the ordinance. He stated that he would like to make a series of proposals for amendments and discussion. He said the first amendment would be on section 53.02.

Mr. Brimmer moved to strike Paragraphs C and D. Not that he does not agree that those are good ideas, but they are telling businesses how to act and does not think this is the role of the ordinance; seconded by Mr. Cunnane.

Mr. Brimmer stated that if businesses want to display signage encouraging recycling and give out recycling bags, that is great, but does not believe an ordinance should address this issue. He said this is a business decision.

Mayor Haynie stated that for those who do not have this in front of them, it is just saying what the Town may encourage businesses to do and does not denude the ordinance of any of its provisions.

Mr. Santos was opposed. All others present voted in favor. Motion carries.

Mr. Brimmer stated that in 53.03, the section where it states "polystyrene, plastic foam disposable food service ware", he would again move to strike Paragraph D, which is saying that the Town will facilitate compliance with this and said he believes the Town is able to do this without it being a part of the ordinance; seconded by Mr. Cunnane.

Mayor Haynie stated that this reads "the Town will facilitate compliance with this section by assisting local merchant groups and publicizing of

locally sourced vendors and procurement of packaging which complies with this section”.

Mayor Haynie stated that this is not a bad idea to do; however, putting it in an ordinance then makes our staff be required to comply with it, by ordinance. He said that it does not need to be stated in the ordinance.

Mr. Cunnane stated that it is basically taking an ordinance that does not cost the Town government much and causing a cost factor to go put these signs out. He said very early on, he attempted to push getting rid of voluntary items out of here. He said if we are going to do voluntary actions, we can make a proclamation.

Mr. Santos was opposed. All others voted in favor. Motion carries.

Mr. Brimmer stated that to follow up on Mr. Bustos’ comment, many of the emails that Council members received talked about plastic bags, Styrofoam and plastic straws. He stated that looking through the latest version of the ordinance, in Section 53.04, it talks about “disposable food service ware”. He said that it does not say straws. He said he was not exactly clear what disposable food service ware is and by using a broad term such as this, it leads some to have concerns that perhaps this ordinance is unnecessarily broad.

Mr. Brimmer made a motion that any areas in the ordinance that references “disposable food service ware”, actually be replaced with “plastic straws” if that is the intent of the ordinance.

Mr. Pagliarini stated that for clarification, if Mr. Brimmer were to review 53.01(e), it will indicate the definition of disposable food service ware.

Mayor Haynie stated that it is on page 2 of the draft and would be happy to read this for the record. He stated that “disposable food service ware is interchangeable with to-go packaging and food packaging material and includes all containers, clam shells, bowls, plates, trays, cartons, cups, straws, stirrers, napkins and other items designed for one time use associated with prepared foods, including without limitation service ware for takeout foods and or leftovers from partially consumed meals prepared by food providers”.

Mr. Brimmer stated that the Town is not in the realm of banning straws and are well beyond that, by this definition. He said this is very different from what Council has been hearing in emails and in discussion. He said this is not banning straws, but all of those items in the definition.

Mr. Santos stated that “B” indicates straws.

Mr. Pagliarini stated that we are referring to 53.04(e) only.

Mr. Brimmer stated that this is not solely as to our ban but includes all those items. He is looking for clarity.

Mayor Haynie stated that he has a question on the enforceability or definability of saying, “included, but not limited to”. He said if we are passing an ordinance, how is someone supposed to know what the “not limited to”, means, if we do not indicate what it is. Mayor Haynie asked Mr. Brimmer if he could make a suggestion. He stated that he agrees with Mr. Brimmer on this and suggested being more definitive about the wording of 53.04 and is looking for the correct way to make the motion to reword that section, unless we take that section out while we pass it this evening, knowing that Town Council will remedy this section and reinsert it into the ordinance.

Mr. Brimmer stated that since he does not know the intent of the majority or Council, he will attempt to make a motion. He stated that he does not wish to eliminate the entire section.

Mr. Brimmer made a motion that Section 53.04 as it is written relates only to a plastic straw ban and not the other items.

Mayor Haynie clarified that Mr. Brimmer’s motion in Section 53.04 would be effective only on plastic straws and not all the other items that are listed, referring back to 53.01(e).

Mr. Pagliarini stated that 53.01(e) is the definition of disposable food service ware.

Mr. Brimmer stated that he is making this motion to see what the intent of Council is.

Mayor Haynie stated that the motion fails due to the lack of a second.

Mr. Brimmer stated that he has a concern on the fines, because when reviewing fines for other incidents in the Town, these are substantial. He said the last version of the ordinance indicates \$200 for the first violation, \$350 for the second violation and \$500 for the third violation, and believes this is high with the amount of turnover in the restaurant industry. He stated that he would like to see something more in line with other fines. He would like to recommend taking the \$200 down to \$100 for first violation and the \$350 to \$250 for the second violation. He said he is agreeable with the \$500 for the third violation, because by that time, they have had several chances to comply.

Mr. Haynie asked if that was Mr. Brimmer's motion.

Mr. Brimmer responded in the affirmative.

Mr. Bustos seconded the motion.

Mr. Haynie stated that he was previously struggling with this until he saw the wording that states, "shall not exceed", which means that it will be that much, but that it will not exceed those amounts, so he is comfortable with it.

Ms. Whitley stated that making the fines de minimis, then businesses will do the cost benefit analysis and determine that it is cheaper to pay the fine and not comply. She stated that the texting while driving law in the State is only \$25 and she still sees a great deal of texting while driving. She said if it were \$500 it would be different. She said maintaining the fees at the level that it is currently, especially since it includes the "shall not exceed" language allows for some discretion given the size of the business and the scope of the violation.

Mr. Brimmer and Mr. Bustos were in favor. All others were opposed. Motion fails 2-7.

Mayor Haynie stated that the fines will remain as stated in the draft ordinance.

Mr. Cunnane stated that he would like to draw attention to the one-year effective date, which provides a full year to obtain replacement

products. He said there are three levels before the establishments will begin to see a fine. He said there are a group of individuals who work for the Town who are experts at discretion, which are police officers. He said that he has seen some of the most ridiculous things on social media (Facebook), about the police raids that are going to happen for plastics and if there is a crime, will the police instead be enforcing the plastic ordinance. He said what an insult this is to the fine men and women in uniform. He said they are experts at discretion. He said some believe Code Enforcement should enforce this, but he would much rather have the police officers, under the fine leadership of Chief Ritchie. This is a compliance-based ordinance and people will comply because they want to do the right thing. He said everyone agrees that there could be better enforcement on littering and dumping that have come up in this discussion and will be addressed. He said Columbia is actually working on this to have better enforcement and better options for community service when someone is charged with littering. He encourages volunteering and would love to see the Town support what they do. He stated that he has been coming to Council meetings for three years, including Committee meetings and this is the most deliberated ordinance he has seen in this Town in that three-year period. He will be supporting this knowing that some adjustment will be made along the way.

Mr. Santos stated that ten years ago when he proposed the “no-smoking” ordinance in public places, he heard the same thing of hurting businesses, and that he should not be fining people for smoking. He said he even heard that he was taking away people’s right to smoke. He said that the police do not get called for people smoking in restaurants, because the restaurants and patrons police themselves. He said this new ordinance will take some adjustment, but it will be a good thing and the environment and community will be much better off.

Ms. Whitley stated that she would also like to commend Ms. Landing for the hard work that she did putting her presentation together. She believes that Ms. Landing generated some amazing ideas that could potentially be used in conjunction with the launch of this ordinance to

generate excitement for it. She especially appreciates involving the local arts community and having an arts contest, putting together reusable plastic bags for the businesses that adopt the ordinance within the first six months. She said this is an important step forward for this Town and a big sign of progress towards supporting our local shrimping and fishing industries and protecting our waterways.

Mr. Owens stated that he would also like to thank Ms. Landing. He said she brought up great ideas and said he wished they communicated earlier, as she put in a great deal of work and effort. He said he is grateful. He said he is also grateful to the public for coming out and speaking on behalf of this ordinance. He said it is going to be extremely important to this area. He said we are the 4th largest city in the State and have a responsibility not only to ourselves, but to our future ages. He is grateful to this Council for seeing this ordinance through and getting it to this point. He said there are some minor adjustments to be made, but nothing that cannot be handled by this Council. He said the State is meeting on Thursday and it is important that this is moved along in order to be incorporated in so there is the potential of extending the expiration period of January 31, 2018 to something that is more amenable for our Town.

Ms. Landing said that she appreciates everyone's comments on her presentation, efforts and enthusiasm about getting the Town to work together. She only wants to say that when you want to partner with someone and would like to have an ecofriendly partner, it is difficult if it is similar to a shotgun wedding. She said if you say you would like to partner with someone, but if you do not do what I say, I'm going to fine you and potentially revoke your business license. She said it is not the same feeling. The positivity, the sense of doing something together – the collaboration of being partners is greatly reduced by this. This does not mean we cannot incorporate some of the ideas but wanted the public to know this is why she did not think of it as going hand-in-hand.

Mayor Haynie stated that he spoke with the Mayor of Beaufort today and the way this happened in Beaufort County was the municipalities passed it first, then the County, and now they have a Countywide

ordinance that started with the municipalities. He believes this needs to start with the Town of Mount Pleasant, because we are the leader of the lowcountry. He stated that Charleston Harbor is famous for shooting shots across the bow and we will shoot a shot across the bow of Columbia and say, “do not take away our home rule”. He said what he has heard from Beaufort, is that restaurants and businesses will adapt. He said our seafood industry and those that run our fleets are irreplaceable and we must do this to help them and make a stand for them.

Mayor Haynie asked for those in favor of the ordinance as presented, as amended both from the Police, Judicial & Legal Committee and as amended by Council deliberation and vote tonight.

Ms. Landing was opposed. All others present voted in favor. Motion carries 8-1.

Mr. DeMoura read *FINAL READING BY TITLE ONLY*. This Ordinance *SIGNED, SEALED and DELIVERED* this date.

VIII. PLANNING – Mr. Ulma

[Planning Committee Minutes](#)

[Planning Commission Minutes](#)

A. NEW BUSINESS

- 1. Adoption:** A Resolution providing for the annexation of an approximately 5.32 acre tract of land owned by the Town of Mount Pleasant, located at 3745 Highway 17 North, identified by TMS No. 614-00-00-033 and depicted as Lot 1 on a plat recorded by the Charleston County ROD Office in Plat Book L10, Page 0138. (R.18041)

Mr. Bustos motioned to approve; seconded by Mr. Brimmer. All present voted in favor.

Mr. DeMoura read the *RESOLUTION BY TITLE ONLY*. This Resolution *SIGNED, SEALED and DELIVERED* this date.

2. **First Reading:** An Ordinance providing for the annexation of an approximately 5.32 acre tract of land owned by the Town of Mount Pleasant, located at 3745 Highway 17 North, identified by TMS No. 614-00-00-033 and depicted as Lot 1 on a plat recorded by the Charleston County ROD Office in Plat Book L10, Page 0138. (Ord. No. 18025)

Mr. Bustos made a motion to approve Item #2 for an annexation; seconded by Mr. Owens. All present voted in favor.

Mr. DeMoura read *FIRST READING BY TITLE ONLY.*

3. **First Reading:** An Ordinance to zone PI-2, Public Institutional-2 District, an approximately 5.32 acre tract of land owned by the Town of Mount Pleasant, located at 3745 Highway 17 North, identified by TMS No. 614-00-00-033 and depicted as Lot 1 on a plat recorded by the Charleston County ROD Office in Plat Book L10, Page 0138. (Ord. No. 18026)

Mr. Bustos made a motion to zone PI-2, Public Institutional-2 District; seconded by Mr. Brimmer.

Mayor Haynie stated that this is the former Berkeley Electric property up in the north portion of the Town and will be our Operations Center. He stated that the Town is working on a master plan for this Operations Center.

Mr. Santos thanked Mayor Haynie for advising the public. He thinks in the future, that information should be put on the agenda, so the general public understands what is being voted on.

Mr. Cunnane stated that he would also like to note that there was a sizeable contingent of nearby residents that were interested in this property at the Planning Commission. He added that Mr. Jody Peele provided the residents with assurances that it will not be a transfer station. He said the residents were not necessarily opposed but were concerned. He stated that he would like to put on the record that the concerns of those citizens are noted and what Mr. Peele mentioned at the Planning Commission hearing should be part of Council's consideration as well, which is that the

residents do not want dumping or that type of activity happening on that property. He said there were a number of residents from that area that attended the Planning Commission meeting.

All present voted in favor.

Mr. DeMoura read *FIRST READING BY TITLE ONLY*.

4. **First Reading:** An Ordinance providing for the annexation of an approximately 19.15 acre tract of land located near Hamlin Road identified by TMS Nos. 578-00-00-049 through -050, 578-00-00-052, 578-00-00-477 through -501, 578-00-00-503, 578-00-00-506 through -531, 578-00-00-569 through -571 and depicted on plats recorded by the Charleston County ROD Office in Book L09, Page 0487-0488, Book L10, Page 0332-0333, and Book S12, Page 0161. (Ord. No. 18027)

Mr. Bustos made a motion to approve the ordinance providing for the annexation of the 19.15 acre tract of land near Hamlin Road known as Linen Place; seconded by Mr. Brimmer.

Michael Charen, 2656 Lohr Drive in Linen Place and represents the Board of Linen Place. He stated that they had approximately 90% of the homeowners who desired to annex into the Town of Mount Pleasant and be able to vote for Town Council and the Mayor. He said he has lived in Mount Pleasant for approximately 24 years and when he moved into Linen Place, he did not realize that he could not vote. He said they attempted annexation previously, but you must have an attachment, so now that they are, they look forward to being able to participate more in the Town.

Mr. Santos asked why the other 10% did not want to annex into the Town.

Mr. Charen stated that it was not 10, but 3 and they had some issues with two board members of Linen Place and does not believe it had to do with becoming part of the Town. He said that they definitely want to become part of the Town with the services involved. He said fire and rescue take a long time, when they could actually receive the service from the station at Six Mile.

Mr. Santos stated that he will be voting against this because historically he has always voted against the 75% method. He said that he does not like forcing anyone to annex into the Town. He said that he is happy they are coming into the Town but does not feel anyone should be forced.

Mr. Santos was opposed. All other present voted in favor. Motion carries.

Mr. DeMoura read *FIRST READING BY TITLE ONLY.*

5. **First Reading:** An Ordinance to zone R-4, Medium Density Residential District, an approximately 19.15 acre tract of land located near Hamlin Road, identified by TMS Nos. 578-00-00-049 through -050, 578-00-00-052, 578-00-00-477 through -501, 578-00-00-503, 578-00-00-506 through -531, 578-00-00-569 through -571 and depicted on plats recorded by the Charleston County ROD Office in Book L09, Page 0487-0488, Book L10, Page 0332-0333, and Book S12, Page 0161. (Ord. No. 18028)

Mr. Bustos made a motion to approve the ordinance to zone R-4, the 19.15 acres known as Linen Place; seconded by Mr. Brimmer.

Mr. Santos asked how this relates to the Town's Comprehensive Plan and does it fit into the Comprehensive Plan.

Mr. Ulma stated that the current Comprehensive Plan recommendation is for Community Conservation or Low Density; however, since it has already been developed under the County and developed before the Sweetgrass Basket Overlay, it does not fit the plan recommendations for that general area.

Mr. Santos stated that it does not fit the Comprehensive Plan and does not fit the Sweetgrass Basket Overlay District.

Mr. Ulma stated that this was approved by the County prior to much of the work and the ordinances being put in place, so effectively, it does not correspond because it was in advance of some of those requirements. He said the County did not impose the overlay either at the time.

Mr. Santos asked if it was currently in the Sweetgrass Basket Overlay District.

Mr. Ulma stated that it is not included in the overlay, because it does not meet the requirements.

Mr. Owens asked if any of the 19.15 acres, is undeveloped.

Mr. Ulma stated that it is all developed except for the common area and they all include wetlands that were undeveloped parcels and cannot be further developed.

All present voted in favor.

Mr. DeMoura read *FIRST READING BY TITLE ONLY.*

6. **First Reading:** An Ordinance to rezone from R-1, Low Density Residential District to R-3, Medium Density Residential District, an approximately 0.33 acre tract of land located at the corner of Myrick Road and Penny Circle, described as Lot 13 in Avian Park Subdivision, identified by TMS No. 532-08-00-028, depicted on a plat recorded by the Charleston County ROD Office in Plat Book K, Page 151. (Ord. No. 18029)

Mr. Santos moved for denial; seconded by Mr. Brimmer. All present voted in favor of denial.

7. **First Reading:** An Ordinance to rezone from R-1, Low Density Residential District, to OP, Office Professional District, an approximately 0.31 acre tract of land located at 1180 Freelock Drive, identified by TMS No. 532-04-00-034, depicted on a plat recorded by the Charleston County ROD Office in Plat Book S17, Page 0251. (Ord. No. 18030)

Mr. Owens moved to deny; seconded by Mr. Brimmer. All present voted in favor of denial.

8. **First Reading:** An Ordinance to rezone from R-1, Low Density Residential District to AB, Areawide Business District, an approximately 1.00 acre tract of land comprised of one parcel in its entirety and portions of two parcels, described as follows: (i) an approximately 0.07 acre parcel in its entirety located on Melvin

Bennett Road, identified by TMS No. 560-02-00-038, depicted on a plat recorded by the Charleston County ROD Office in Plat Book CE, Page 190; (ii) an approximately 0.03 acre portion of an approximately 0.11 acre tract of land located on Melvin Bennett Road, identified by TMS No. 560-02-00-039, depicted on a plat recorded by the Charleston County ROD Office in Plat Book CE, Page 190; and (iii) an approximately 0.90 acre portion of an approximately 1.51 acre tract of land located at 1236 Melvin Bennett Road, identified by TMS No. 560-02-00-019, depicted on a plat recorded by the Charleston County ROD Office in Plat Book BA, Page 179. (Ord. No. 18031)

Shaun Rudy, 1232 Melvin Bennett, stated that he lives on the property which is directly to the left. He said he spoke to the residents who live opposite him to the left and the resident who lives to the right and the resident who directly faces this property and they are all against this zoning. He said if this is turned into AB zoning, there is no guarantee as to what will be built there. He said he spoke to Timmy Askins previously and he started out saying it was going to be a Terminix, then an accounting office, then a chiropractor, a medical building and then a Karate school. He said this proposal is a two story 15,000 square foot building and this is just a proposal. He said if he sells the property, it could be a restaurant, a bar, or anything. He said this is a residential community. He stated that he is going to pretend to be Mr. Rogers, but he is actually a wolf in sheep's clothing and has threatened his wife by saying that if he does not get his way, he will destroy the existing landscape. He has also cornered one of his neighbors at Publix, trying to turn neighbor against neighbor. He said this is not a good person or one that the Town should want developing in a residential community. He said he would like to talk about a letter that Timmy Askins only handed out to the residents on Bluebird and Robbin Road and was never given to any of the residents on Melvin Bennett Road. He said the problem with this letter is that Mr. Askins stated that he would only put one single family home on the Melvin Bennett side and his proposal is for two. He said

another problem he has with this is that one neighbor said he illegally put this in his mailbox. When Mr. Rudy asked how, the residents said because there was no stamp, it was just sitting in his mailbox. Mr. Rudy stated that according to Title 18, Section 1725, stated that *any person knowingly depositing a mailable matter without a postage in an established letter box shall be subject to a fine up to \$5,000 for individual and \$10,000 for incurrence*. He said the last thing he would like to discuss is the fact that the letter says that this has already been in the works with Planning Councilman Joe Bustos since late last summer and said he (Mr. Bustos), has already agreed to support his proposal. He stated that he does not know how he is supposed to stand in front of Town Council thinking that he is in front of an impartial Council when he is already sitting in front of (Councilman) Joe Bustos and he is already on the letter showing that he is already with this proposal. He stated that he would like to provide this to Town Council members.

Syvil Noll, stated that she and her husband have lived at 1330 Blue Bird Drive in Moss Park for 42 years. She said they back onto Melvin Bennett Road and know that someone will build on this property eventually at 1236 Melvin Bennett Road. She supports Mr. Askins in his proposal to plan to build two houses on Melvin Bennett Road, an office building on Bowman Road, with a ten-foot fence and a planted berm area, low lighting, less traffic with two houses instead of five that would egress onto Melvin Bennett Road. She said they also have a traffic problem at the head of Melvin Bennett that goes into Chuck Dawley and have a difficult time getting out. She said two houses would be better than five. She said that Mr. Askins' plan will fit their neighborhood and save the grand oak that is on the property. She said if five houses are put on this property, the grand oak will die, and it has been there longer than she has been in Mount Pleasant. She said she is a long-time resident of Mount Pleasant.

Lil Xavier, 1242 Robbin Road, stated that she is in support of rezoning the property to half commercial and half residential. She said she is also here to speak on behalf of five of her neighbors who could not attend. She said that she would like to read some of the letter. She said basically the neighbors say: *We have all gone out to look at the property as well as talking with Mr. Askins and we are interested in working with him not only to create a solution but to help with the betterment of our neighborhood. We would like to take the time to thank Mr. Askins for going out of his way to out help us understand his proposal. We are pleased with the shrubbery and palm trees that he is willing to plant, along with the 8 to 10-foot fence being built to buffer the business side from the housing side of our neighborhood. We feel that once this plan has been approved, Melvin Bennett and Moss Park will be a great residential neighborhood ensuring residential in the future. We are in full support of Mr. Askins proposal that includes residential and business. If you have any questions, please feel free to contact us.*

Ms. Xavier stated that this is signed by her five neighbors. She said she would also like to say to Mr. Rudy that she was the one that put some flyers in mailboxes, because she knocked on doors and when people were not home, she figured the best way was to leave it in the mailbox, although it is a federal offence and she is probably going to get fined, but wanted to be honest.

Edward Burn, 921 South Shem, stated that he has been a lifelong resident of Mount Pleasant. He said he is here to represent his family as property owners on Stuart Engals Boulevard and Bowman Road. He said these properties are adjacent to the property Mr. Askins is attempting to develop on Bowman and on Melvin Bennett. He has seen Mr. Askins' plans for two houses on Melvin Bennett and a small office building on Bowman Road and feels that he has gone above and beyond to lessen any impact that the development will have on both roads. He said that Mr. Askins has greatly reduced the number of buildings that could have been built. He commends him for his efforts in doing so and additionally,

four families that live in Moss Park that are his friends are also in favor of Mr. Askins' project. He said he reached out to them and they all thought it was a great idea. He said they all saw the plan, as well.

Edward Hannapel, 1342 Bowman Road, stated that he owns a business directly adjacent to the Melvin Bennett property facing Bowman Road (Black Forest Import Service), and has been there approximately 23 years. He said they have always known that at some point, the property just to the left of them would be developed. He is fully in support of Mr. Askins' plans with the one-acre parcel fronting Bowman Road going commercial with an office building and also with the buffer he has proposed to the residential. He said it makes a lot more sense than having five houses on that property. He knows the neighbors behind him in Moss Park are in support of this.

Christian Ensminger, 1244 Melvin Bennett Road, said originally his wife got up and spoke and they were against building any type of commercial on the lot just because they would like to keep Melvin Bennett residential. He said this is something they feel very strongly about and the house they live in has been in their family for generations and would like it to continue within their family. She said Tim Askins withdrew this and sat down with them and discussed solutions and although he is not in full support of it, he believes they must come to a reasonable solution and is in favor of building half of it commercial and the other half residential. He said the one thing he does want to stress is if they go forward with the commercial lot, he does not want this to open the door to start creeping onto Melvin Bennett and then have the whole area zoned on the first two sections as commercial, because this will start to drive families out of this area, which is his biggest concern.

John Paul Taylor, 1336 Blue Bird Drive, stated that he has been there since the beginning of time; he grew up there. He said this is a very difficult situation, because we have a good neighbor who lives there, Shaun Rudy, who is a good person. He wants to be

good friends with his neighbors which is important to all of them. He said it is unfortunate that we cannot disagree and still be friends but hopes they can. He said the truth is that they would rather have the commercial lot on Bowman and the two houses on Melvin Bennett, because it makes more sense for traffic trying to get out at the head of Melvin Bennett onto Chuck Dawley. He said that he owns a lot at the very end of Melvin Bennett on the right and is in Moss Park and is fortunate to have a triple driveway, which is extremely convenient for him. He said as more and more traffic builds up on that road, more and more people want to use his back driveway and it is turning into a road. He said he would like to minimize the traffic on his property for his grandchildren and other children who play there. He said he would like to do the right thing and believes it is to go forward with Mr. Askins' proposal. He said at the same time, he really hopes that he can still be neighborly with his neighbors and that they understand the impact on all the surrounding neighbors and how it affects them.

Collier Helms, 1365 Woodlock Road, said that he lives around the corner off Venning Road. He said that he is a chiropractor and has been practicing in Mount Pleasant for 16 years and he does have an interest in this property if it is rezoned. He would potentially like to move his practice there.

Larry Hague, 1318 Bluebird Drive, stated that he lives across the street from this property. He said his concern is that this commercial creep is going to go down Melvin Bennett Road and could potentially link back up with Bowman Road and would definitely have a commercial corridor. He said this is not something the residents in Moss Park want to see. He said that he also does not appreciate the neighbor against neighbor concept that has occurred here, which has not been very good. He does hope that it does not continue. He said that he does not support this commercial project and stated that he would love to have four new neighbors and there is no back up on Melvin Bennett Road to get out to Chuck Dawley. He asked to please keep it residential.

Mr. Bustos made a motion to approve the ordinance to rezone; seconded by Mr. Brimmer.

Mr. Owens stated that he has been aware that there is a petition circulating regarding the neighbors that are in Moss Park. He said there has also been a letter that was sent out asking that their names be removed from the petition. He asked if the applicant is present. He addressed Mr. Atkins and said that it would be great if he could get the neighbors together, because there is a petition to get them onboard with his development and he does not know if he needs more time, if there is a reluctance or any possibility for him to bring the neighbors together. He said there has been discussion of neighbor against neighbor and thinks it is time to heal the neighborhood. He asked if there is any way to heal the divide between the petition and the property in question, because so many have signed the petition and he does not want to discount them.

Mr. O'Rourke stated that this has been discussed and debated in the Planning Committee for quite some time. He does not know if there will be 100% consensus from the neighborhood to agree on this. He said that he agrees with the concept but does not know if the residents will feel any different if Mr. Askins gets 30, 60 or 90 days, then they do now. He said that Council is simply going to have to make a decision.

Mr. Bustos stated that the neighborhood in Moss Park, which goes back to the Bentley Park Subdivision, there were things that went back and forth, and Mr. Gray Taylor stood before Council and advised that only 24 houses were sold and now there are approximately 40 houses that are in there. He said this neighborhood has been taken advantage of by residential development and he thinks it is justifiable that their fear may be that people will get all these lots together and there will be townhouses in there. He is aware that Stewart Tree Service is at the end and there is a bank, Black Forest and this would fit well in that area. He said that history has shown that if Council does not

do something like this, because the Town needs commercial development and the tax base, and this will empty onto Bowman Road, with the houses going onto Melvin Bennett Road. He said if you drive down there and try to get out onto Chuck Dawley and there is Bentley Park and once those 40 homes are in there and traffic is coming out, it will be more difficult coming out of Melvin Bennett. He said that he has known Ms. Noll since high school and when this request came to the Town, he called and asked her opinion, as well as Paul Taylor. He said he values their opinions because they have lived there and invested their lives in that neighborhood. He hopes that everyone will take this into consideration, as these are long time residents who have businesses and homes in this area. He said he thinks this project is the right thing to do and has given this due consideration.

Mr. Cunnane stated that he is having difficulty with this item. He said he is troubled by the commercial portion. He asked if the back of this commercial lot could go straight across from the back of Black Forest.

Mr. Bustos stated it is Mr. Rudy's property.

Mr. Cunnane asked why this is coming so far into the residential portion. He said that he was present for the contentious meetings between the different proposals on the Chuck Dawley side and this is one of those neighborhoods with 30 or more houses that are squeezed in every direction. He said he does not believe Council has to approve this and the answer is that it is a residential neighborhood and the threat that more houses are going to come, it is still residential. He said once you introduce commercial, he would not want a fast food restaurant behind his house or something worse. He said he would vote no for anyone else getting this. He does not think it is right and is overkill. He said the developer has done a good job trying to rally everyone together, but did not succeed with the most important residents, which are the immediate neighbors. He said you can convince others who live two blocks away, but if the immediate neighbors are not in

agreement, then he is not able to support this and does not understand the encroachment. He said if you want to do a commercial line, which he does not agree with, because it is spot-zoning and eating away at this neighborhood.

Mr. Bustos stated that the residents adjacent to this property, with the exception of Mr. Rudy, is where everyone of these residents work or live and they have been considering this for six months, so it has been reviewed. He said he believes they are concerned about their neighborhood, because they saw what happened on the other side. He said there is no benefit of the doubt here.

Mr. Cunnane stated that there were 39 signatures against this development and his concerns were the residents directly adjacent. He understands the gentleman with the commercial business next door and it looks fantastic and one of the cleanest businesses he has seen. However, the bottom line is that this is someone's backyard. He said he would not want this in his backyard.

Mr. Owens stated that he also knows residents in that subdivision as well and is sure those Mr. Bustos spoke with have known each other for quite some time. He said that he may be able to support this for first reading but is not sure he can support it for final reading, until he speaks to the property owners that are adjacent to this property. He said from an issue of fairness, something needs to be done and he would like to see some continuity between neighbors.

Mayor Haynie stated that he agrees with Mr. Owens and this is first reading, and he had real concerns about this project after hearing about it in the Planning Committee as he did not want anything bad to happen to the adjacent neighbors. He said the more he looks at it and studied it, and heard something worse may happen, so he is inclined to vote in favor for first reading. However, if he is not comfortable on final reading he will not support it.

Mr. Cunnane and Mr. Santos were opposed. All others present were in favor. Motion carries 7-2.

Mr. DeMoura read *FIRST READING BY TITLE ONLY*.

9. **First Reading:** An Ordinance to rezone approximately 6.97 acres of land from CC, Community Conservation District, to R-2, Low Density Residential District at 1843 Rifle Range, identified by TMS No. 561-00-00-012, and depicted on a plat recorded in the Charleston County ROD Office in Plat Book DA, Page 508. (Ord. No. 18004)

Mayor Haynie stated that he is not certain if the applicant meant for this to be on the agenda and does not believe they are present. He received a telephone call from an acquaintance of the applicant that said they are not pursuing and there was no formal withdrawal.

Mr. Pagliarini stated that the Planning Department did not receive any written request or contact regarding a formal withdrawal and it is on the agenda.

Mr. Santos made a motion to deny; seconded by Ms. Whitley. All present voted in favor of denial.

10. **Request to waive the one year waiting period for re-submittal of an Amendment to the Dunes West PD, Planned Development Ordinance.**

Mr. Ulma stated that this was a request that Council reviewed last month; the Dunes West Covington rezoning within the Planned Development. He said Council denied that request last time and there was a request for a waiver of the one year waiting period in order to resubmit. He said Council did this during the meeting verbally and went back and double checked to see if the ordinance requires the Town to receive this request in writing. He said it is back on the agenda this evening in order for Council to take that same action again to grant the one-year waiver and Planning expects a request that is revised for an R-3 zoning district, rather than the prior zoning request.

Mr. Pagliarini stated that this is the same issue that Council voted on last month, but to meet the ordinance requirements, it requires a written request from the applicant.

Mr. Bustos asked what the vote was last month.

Mr. Pagliarini stated that it was 8-1 vote to approve.

Mr. Santos stated that Council typically does not waive a one year waiting period unless there is a substantial reason to do so. He said this is what Council needs to determine or deny the request.

Mr. Santos made a motion to deny the request; seconded by Mr. Brimmer for discussion purposes.

Mr. O'Rourke stated that Council somewhat already approved this at the last meeting and if we denied this altogether, what does this do to the project.

Mr. Santos said they would have to wait a year.

Mr. O'Rourke asked if the applicant can speak and help him understand the intent.

Robert Pickard, 572 Savannah Highway, stated that this was brought up at the last Council meeting and was discussed. He said that they have been through Committee a number of times and have taken the advice of Committee and Council and have gone back and made multiple changes to the request. He said from his understanding, this was more of a paperwork issue to ensure that it was formally approved, which he thought it was during the last meeting to amend the request, provide additional language and materials for Council to review. It was a simpler solution to a cleanup for the zoning of a community that had mixed zoning; to put it under one zoning not only for the Town, but for the residents. They have been through multiple Committee meetings and Council and believe they have reached the solution based on the revisions that he thanks Council members for in order to make the change. He would respectfully request that what was voted on and approved at the last Council meeting is simply verified this

evening to fix the one issue. They could not change what was voted on and this is just semantics. This was done in order to allow them to have a cleaner solution and not wait an additional year.

Mr. Santos stated that he can withdraw his motion, but he does not have anything that advises him what this is about. He said throughout the years, some Councils have been lenient about allowing this to happen frequently. He said the ordinance was not effective, so Council decided that there must be a compelling reason to waive the one year waiting period.

Mr. O'Rourke stated that this item came before Council last month and all of Council voted in favor and now some wording had to be changed and there is a possibility of saying "no". He said if we were going to deny it, it should have been denied last month. But to vote yes last month and no this month, he has an issue with this.

Mr. Santos stated that he does not have anything that tells him what the applicant is coming back with.

Mr. O'Rourke said there was more last month on this and it has been dealt with in the Planning Committee. He said last month when this was voted on, Council had everything Mr. Santos is now asking for and it was already completed. This is simply to resubmit that request formally and clean it up.

Mr. Santos stated that what he is saying is next time, he would like to have something in front of him to see what the applicant is planning on doing. He said he was not in the Planning Committee meeting and is not on that Committee, so he needs to see what is being proposed.

Mr. Santos withdrew is motion.

Mr. Brimmer asked if Council voted to allow the one-year waiver last month or was it a vote to allow him to withdraw his request and come back.

Mr. Ulma stated that Council denied the request and Mr. Friedman then requested the one-year waiver and it was done at the same meeting.

Mr. Brimmer asked if there was a separate vote for the waiver.

Mr. Ulma responded in the affirmative.

Mr. Bustos asked Mr. Ulma where this comes back into the system at this time.

Mr. Ulma stated that it would start over as a new rezoning at the Planning Commission, which would be an R-3 request versus the modified R-1 that was originally requested.

Mr. O'Rourke made a motion to waive the one year waiting period for resubmittal of the amendment to Dunes West Planned Development; seconded by Ms. Landing.

Mr. Cunnane directed his comment to Mr. Ulma. He said that this idea of expanding the footprint of Park West and Dunes West, he would like more clarification on what the ramifications of that would be in the event this one comes back up. He stated that he is worried about a precedent. He does not have an issue with 20 new houses being added in, but more concerned about someone coming along with property along the airport that touches Park West or some scheme not to be contiguous to come into Park West. He would like to know if this has been done prior and if it is allowed and what the ramifications are before it comes back again.

Mayor Haynie was opposed. All others present voted in favor. Motion carries.

B. OLD BUSINESS

1. **Final Reading:** An Ordinance providing for a *Fifth Amendment* to Ordinance No. 11064, the Development Agreement by and between the Town of Mount Pleasant and CDM Of Charleston, LLC (Carolina Park Development Agreement). (Ord. No. 18018)

Mr. Brimmer moved for approval of items #1 and #2; seconded by Ms. Whitley.

All present voted in favor.

Mr. DeMoura read *FINAL READING BY TITLE ONLY*. This Ordinance *SIGNED, SEALED and DELIVERED* this date.

2. **Final Reading:** An Ordinance providing for a *Fifth Amendment* to the Planned Development District Ordinance pertaining to property known as Carolina Park. (Ord. No. 18019)

[Approved it Item #1 above]

Mr. DeMoura read *FINAL READING BY TITLE ONLY*. This Ordinance *SIGNED, SEALED and DELIVERED* this date.

3. **Final Reading:** An Ordinance providing for the annexation of an approximately 0.92 acre tract of land located at 4318 Royal New Kent Court, identified by TMS No. 632-00-00-098 and depicted on a plat recorded by the Charleston County ROD Office in Plat Book EG, Page 761-765. (Ord. No. 18020)

Ms. Whitley moved to approve items #3, #4, #5 and #6 annexations; seconded by Mr. Owens.

All present voted in favor.

Mr. DeMoura read *FINAL READING BY TITLE ONLY*. This Ordinance *SIGNED, SEALED and DELIVERED* this date.

4. **Final Reading:** An Ordinance providing for the annexation of an approximately 0.52 acre tract of land located at 355 Live Palmetto Bluff, identified by TMS No. 556-00-00-511 and depicted on a plat recorded by the Charleston County ROD Office in Plat Book L13, Page 287. (Ord. No. 18021)

[Approved in item #1]

Mr. DeMoura read *FINAL READING BY TITLE ONLY*. This Ordinance *SIGNED, SEALED and DELIVERED* this date.

5. **Final Reading:** An Ordinance providing for the annexation of an approximately 0.75 acre tract of land located at 395 Live Palmetto Bluff, identified by TMS No. 556-00-00-509 and depicted on a plat

recorded by Charleston County ROD Office in Plat Book L13, Page 287. (Ord. No. 18022)

[Approved in item #1]

Mr. DeMoura read *FINAL READING BY TITLE ONLY*. This Ordinance *SIGNED, SEALED and DELIVERED* this date.

6. **Final Reading:** An Ordinance providing for the annexation of an approximately 0.34 acre tract of land located at 520 Coaxum Road, identified by TMS No. 556-00-00-115 and depicted on a plat recorded by Charleston County ROD Office in Plat Book BD, Page 115. (Ord. No. 18023)

[Approved in item #1]

Mr. DeMoura read *FINAL READING BY TITLE ONLY*. This Ordinance *SIGNED, SEALED and DELIVERED* this date.

IX. COMMITTEE REPORTS

A. [Accommodations Tax Advisory Committee](#) (No Meeting)

Report

B. [Bids & Purchases Committee](#)

The Committee unanimously approved the following recommendations:

- Approval to contract with IPW Contracting Group, LLC, in the amount of \$212,000 to construct all work in the base bid for the Whipple Road Tennis Center Clay Court Addition.
- Approval to enter into negotiations and, if successful, contract with Davis & Floyd, Inc., to provide professional services for the Public Services Operations Facilities master plan.
- Approval to contract with Mead and Hunt in the amount of \$111,920 to perform the design work for the All American Boulevard Extension project.

The Committee received the quarterly Local Vendor Report. For the third quarter of FY 2018, \$3.7 million or 33% of the Town's expenditures to vendors was to local Town of Mount Pleasant vendors, for a total year-to-date amount of \$9.8 million or 31%.

C. [Economic Development Committee](#)

The Economic Development Committee invited members of the business community to discuss the Ordinance for Environmentally Acceptable Packaging and Products again this month with concern as it relates specifically to restaurants and the packaging impact on food service. Following discussion, a motion was made to defer action for 6 months. However, this motion failed. The Committee discussed that amendments could be made to the ordinance prior to final reading.

The committee went into executive session to discuss contractual matters related to an Economic Development Incentive grant. No votes or action were taken, nor was any action required upon returning to regular session.

D. [Education Committee](#) (No Meeting)

Report

E. [Finance Committee](#)

1. Consideration of Fiscal Year 2019 Proposed Budget (See Council New Business Item XI.A.1)
2. Consideration of a Resolution making declaration of intent to enter into Lease Purchase Agreement (See Council New Business Item XI.A.2)

3. Consideration of a Resolution making declaration of intent to issue tax-exempt obligations (See Council New Business Item XI.A.3)
4. Consideration of an Ordinance to amend Chapter 114, Accommodations Fee, pertaining to the distribution of funds (See Council New Business Item XI.A.4)
5. Consideration of a Resolution authorizing a loan application to the State Authority by Mount Pleasant Waterworks (See Council New Business Item XI.A.5)

6. Report

The Finance Committee recommended approval to the Budget Committee the following components of the Proposed FY 2019 Budget:

- A. Revenues for all Funds
- B. General Government operating expenditures
- C. Non-Departmental expenditures
- D. That Requests for Donations were in conformance with Community Investment Policy
- E. Debt Fund expenditures
- F. State Accommodations Tax Fund expenditures

The Finance Committee heard a request for funding for FY 2019 from Housing for All – Mount Pleasant to support the completion of the affordable housing organization obtaining its 501(c)3 tax exempt status.

F. [Fire Committee](#)

TYPE	NUMBER OF CALLS
Fires	20
Medical	441
Other	242
TOTAL	703

G. [Human Resources](#)

Report

H. [Patriots Point Development Authority](#)

Mayor Haynie stated that as an update, work will continue on the right-of-way exchange agreement that Council received information on, which will be discussed in executive session.

I. [Planning Committee](#)

Continued discussion regarding the Urban Corridor Overlay District (UCOD) and potential removal of Ben Sawyer Boulevard from the district: Staff informed the committee that they had conducted an initial analysis of the properties and zoning along the Ben Sawyer Boulevard portion of the overlay district. Using a series of aerial photos and maps, vacant properties were identified, and existing developments approved under the overlay provisions were described. Staff pointed out some considerations to keep in mind should the overlay be removed, including the nature of future development using the existing, underlying zoning, and the numerous nonconforming situations which would be created when current developments are no longer allowed under the general zoning districts. The committee received the information, asked various questions, and deferred the item until the May meeting to enable time to study the background materials.

Report on Comprehensive Plan update: Planning staff relayed the work which the Plan Forum conducted at their last meeting on March 6, 2018. Staff also described the activities of Forum subcommittees as they continued discussions about some key “Big Issues,” including the urban corridor, settlement communities, bicycle and pedestrian facilities, housing options, open space, and resiliency. Committee members inquired about the transportation component of the plan, and staff advised that subject of transportation necessarily lags the discussion of land use & development but would be the focus of the next Forum meeting (May) and the additional community Open House (June) being programmed.

J. [Police, Legal & Judicial Committee](#)

Report

K. [Public Services Committee](#)

The Committee approved the minutes from the March 5, 2018 meeting.

Committee reviewed the Public Services Department’s budget for Fiscal Year 2018-2019. A recommendation was made to forward this budget to full Council for approval.

There were two presentations given at the Public Services Committee Meeting. The first was titled “Review of Public Services Department Organizational Chart and Equipment” and it provided an overview of the organization of the Public Services Department and how it is equipped.

L. [Recreation Committee](#)

The Committee reviewed and recommends to Council approval of the Recreation Department’s Budget for FY 2019.

The Committee discussed the possible relocation of the Royall Tennis Court project to Edwards Park. Following discussion, the Committee decided to continue with the current plan to reduce the scope of the project to two courts in the current location.

The Committee was given a cost analysis for possible field improvements in the Snowden Community. Following discussion, the Committee recommended establishing a \$25,000 fund to enable neighborhoods not in the Town to apply for recreational facility improvement grants.

The Committee was given an update on participation and activities.

ACTION ITEM #1: The Recreation Committee recommends to Council approval of the Recreation Department's Budget for FY 2019.

M. [Transportation](#)

Report

N. [Waterworks Commission](#)

Report

O. [Water Supply Committee](#)

Report

X. ADMINISTRATOR'S REPORT

Vacancy on the Accommodations Tax Advisory Committee and the Historical Commission

XI. COUNCIL BUSINESS

A. New Business

1. **First Reading:** An Ordinance to adopt and appropriate a Budget for the Town of Mount Pleasant for Fiscal Year 2019 (July 1, 2018 through June 30, 2019). (Ord. No. 18032)

Mr. Santos moved for approval; seconded by Mr. Bustos. All present voted in favor.

Mr. DeMoura read *FIRST READING BY TITLE ONLY*.

2. **Adoption:** A Resolution by the Town of Mount Pleasant, South Carolina, making a Declaration of Intent to enter into Lease Purchase Agreements. (R.18042)

Mr. Owens moved for approval; seconded by Mr. O'Rourke.

Mr. Bustos asked if this is for vehicles.

Mr. DeMoura stated that it is, and for large equipment.

All present voted in favor.

Mr. DeMoura read the *RESOLUTION BY TITLE ONLY. This Resolution SIGNED, SEALED and DELIVERED* this date.

3. **Adoption:** A Resolution by the Town of Mount Pleasant, South Carolina making a Declaration of Intent pursuant to United States Treasury Department, Internal Revenue Service, Regulation 1.150-2. (R.18043)

Mr. Owens moved for approval; seconded by Mr. Santos. All present voted in favor.

Mr. DeMoura read the *RESOLUTION BY TITLE ONLY. This Resolution SIGNED, SEALED and DELIVERED* this date.

4. **First Reading:** An Ordinance to amend Section 114.06 of Chapter 114, Accommodations Fee, of the Mount Pleasant Code of Ordinances pertaining to the distribution of funds. (Ord. 18033)

Ms. Cotov stated that this references in the distribution of funds, all the allowances per the State code, so if the State code

changes their accommodations tax, the Town automatically apply under that change.

Mr. Santos moved for approval; seconded by Mr. Owens. All present voted in favor.

Mr. DeMoura read *FIRST READING BY TITLE ONLY*.

5. **Adoption:** A Resolution authorizing a loan application by Mount Pleasant Waterworks, relative to the *Park West Forcemain Replacement Project*. (R.18044)

Mr. Bustos moved for approval; seconded by Mr. Owens. All present voted in favor.

Mr. DeMoura read the *RESOLUTION BY TITLE ONLY*. *This Resolution SIGNED, SEALED and DELIVERED* this date.

B. Old Business

Final Reading: An Ordinance amending Title V (Public Services) by adding a new Chapter 53 pertaining to environmentally acceptable packaging and products. (Ord. No. 18024)

[Addressed earlier in the agenda]

C. Executive Session

Mr. Brimmer moved to adjourn into executive session; seconded by Mr. Bustos. All present voted in favor

Council adjourned into Executive Session at 9:21 p.m.

Council reconvened at 9:40 p.m.

Mayor Haynie stated that no votes were taken during Executive Session.

1. Legal and Contractual

Consideration of an economic development incentive grant

2. Personnel

Appointments to the Planning Commission

D. Post Executive Session

Council may take action on any item listed on an executive session agenda or discussed in an executive session during a properly noticed meeting.

Mr. Bustos made a motion to appoint George Gates to the Planning Commission; seconded by Mr. Owens. All present voted in favor.

Mr. Brimmer made a motion that Council ask staff to proceed as discussed in Executive Session on the Economic Development project that was discussed; seconded by Mr. Bustos. All present voted in favor.

XII. ADJOURN

There being no further business, Council adjourned at 9:41 p.m.

Respectfully submitted,
Barbara Ashe
April 10, 2018