

MOUNT PLEASANT TOWN COUNCIL
TOWN COUNCIL AGENDA
Tuesday, October 9, 2018 at 6:00 p.m.
Municipal Complex, Council Chamber
100 Ann Edwards Lane
Mount Pleasant, SC 29464

MINUTES

Mayor Haynie called the Town Council Meeting to order at 6:03 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 Rob Dewey stated that he received the following email
"Thank You" from Pam and Bobby Pearce, who had a fire in their attic.

Rob,

Thank you for the opportunity to provide you with our family's thoughts regarding the Mount Pleasant Fire Department. I apologize for not being at the Town Council meeting tonight in person, but I request that you read this into their record if permitted.

We recently had a need to call upon the Fire Department due to a fire in our home attic. We were in shock to say the least as smoke poured into several of our rooms, but, within I estimate 3 minutes after calling 911, the first firefighters arrived. The professionalism exhibited by these men and one woman was remarkable--they told us what we needed to do, what they were doing, what we could expect, and for us to just take a breath and relax as much as we could. The relief we had was immediate and they found the source of the fire, dealt with it and provided us with human comfort and compassion. Thankfully, damage was minimal, and we are working to put several more smoke and fire detection units in our home per their thoughts and suggestions.

What a great group of individuals at our Fire Department--we met many of them and even took pictures with them as they were packing up hoses and other equipment. Our family cannot say enough good things about the Fire Department and its personnel--to a man and

woman, their professionalism combined with human compassion turned a potentially devastating personal night into a showcase of how a fire department should do, and did do, things perfectly.

Congratulations to our town for its incredible Fire Department.

Sincerely,

Pam and Bobby Pearce

Chaplain Dewey led Council in prayer.

II. PLEDGE

Mayor Pro Tempore Gary Santos led Council 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. Bustos moved for approval; seconded by Mr. Owens. All present voted in favor.

V. PUBLIC HEARINGS, AWARDS & PRESENTATIONS

A. A Public Hearing: A Public Hearing to receive input on a proposed amendment to the Comprehensive Plan 2009-2019 (2014 Update) Future Land Use Map by changing the land use designation from Commercial to Medium Density Neighborhood for an approximately 0.67 acre tract of land located on Nantahala Boulevard, identified by TMS No. 558-01-00-077 and depicted as Lot A-2, Block G in Wando East Subdivision on a plat recorded by the Charleston County ROD Office in Plat Book AQ, Page 049.

Mayor Haynie stated that no one has signed up to speak on this item and declared this Public Hearing closed.

B. A Public Hearing: A Public Hearing to receive input on proposed revisions to Fee Schedule of Freedom of Information Act Policy.

LeeAnn Adkins, 34 Hopetown Road, stated that she is not sure what affect this will have. She looked up the policy online because she wanted to refamiliarize herself with the policy and rates. She had a FOIA request that was fulfilled this year and she did not have a good experience. She said she is not here to complain, because she believes this Council cares about adhering to FOIA. She does not believe that the request she made was properly fulfilled and feels she was substantially overcharged from the published prices. She would like to request that the Town, whether it be the Town attorney or those that fulfill these requests, do it with care, because the public relies on the information posted online. FOIA requires that the rates be published online, but what she was charged was not accurate. She is also certain that when she looks at the policy today, the fiscal year 2019 rates are published, so she is not sure of the purpose of this public hearing. She said it seems after-the-fact. She said she is open to information if the Town would like to offer any.

Mayor Haynie declared this Public Hearing closed.

C. National Arts and Humanities Month Proclamation

Mayor Haynie and Town Council members joined Marie-Louise Moreto, Mount Pleasant Community Arts Center, and various Arts organizations to proclaim the month of October “National Arts and Humanities Month”.

D. Presentation of Mount Pleasant Police Department Re-Accreditation Award

Police Chief, **Carl Ritchie**, stated that he, along with other officers, represented the Mount Pleasant Police Department (MPPD) at the Commission for Accreditation of Law Enforcement Agencies (CALEA) in Grand Rapids, Michigan. He stated that this is the 9th Re-Accreditation hearing and his second as Chief of Police. He stated that the accreditation standards are re-evaluated every three years and will soon go to a four-year evaluation schedule with annual

reviews on select standards. He stated that excellence is not achieved by accident and is through the hard work, dedication and professionalism of each and every individual that wears the Mount Pleasant Department's uniform and those civilians with support roles. He said the MPPD was assessed on 484 standards covering all aspects of their operations. Agencies have the option of only submitting to 80% of the standards; however, the MPPD submitted to the 100% evaluation process. He said the MPPD achieved a perfect score of 100% compliance and received this 9th award with a "Gold Standard" with Excellence distinction. He said there are over 18,000 law enforcement agencies in this nation and less than 5% are accredited and fewer have received the Gold Standard with Excellence. He stated that he is extremely proud of the MPPD and all the men and women who put the uniform on every day to protect and serve this community. He is also very proud and grateful for the support they receive from Mayor Haynie and Town Council every day. He presented the award to Mayor Haynie and Town Council and hopes that they are as proud of this distinction as the Mount Pleasant Police Department is and know that their Police Department is one of the very best in the nation.

E. Longevity Awards

Mayor Haynie and Town Council members joined Recreation Director, Steve Gergick in recognizing **Catherine Carter** for twenty years with the Town of Mount Pleasant. He stated that she has actually been with the Town for 25 years, as she began her first five years as a part-time employee. He stated that she and her staff offer over 200 summer camps and through the remainder of the year, she offers every kind of adult and youth program to the community.

F. Recognition of Hurricane Florence Relief Responders

Councilman Joe Bustos, along with Mayor Haynie and Town Council members, recognized Operation Palmetto Airlift, headed by Colonel Julie Grundahl. Mr. Bustos stated that after the devastation of Hurricane Florence in the Conway area, as well as our neighboring North Carolina residents, Colonel Grundahl contacted him to utilize

some of their private aircraft for relief efforts in those areas. He stated that they provided much needed relief supplies. He stated that Colonel Grundahl is a retired Air Force Officer, as well as a superb pilot.

Colonel Julie Grundahl stated that this was a team effort with ground volunteers, pilots, as well as all the donors. She recognized **Sebastian Castro and Mike Zimmer**, two of the local pilots, who donated from their own personal funds, the first load of relief supplies; **Pastor Elizabeth Sullivan and Connie Mason** of Point Hope United Methodist Church, who were the first donors the Colonel called. They also donated the first relief items. She stated that **Tammy Conklin, Brittany Pitman and Lisa Scott**, who represent Fighting Flo in the Lowcountry, also provided a great deal of supplies for relief efforts. She said that they are still doing this. She added that they could not have accomplished any of this without the ground volunteers.

G. Employees of the Month

Mayor Haynie and Town Council recognized Town Employees for their work during Hurricane Florence. Town Administrator, Eric DeMoura asked for those employees present to stand and be recognized.

Mr. Owens thanked Mr. DeMoura for all his hard work and leadership during the storm.

VI. APPROVAL OF [MINUTES](#) FROM THE AUGUST 14, 2018 TOWN COUNCIL MEETING, THE SEPTEMBER 21, 2018 SPECIAL TOWN COUNCIL MEETING AND THE AUGUST AND SEPTEMBER 2018 FINANCIAL STATEMENT.

Mr. Cunnane made a motion to amend the August 14, 2018 minutes to have the third paragraph of Page 34 show that Mr. O'Rourke made the statement and not himself; seconded by Mr. O'Rourke. All present voted in favor.

Mr. Santos moved to approve the September 21, 2018 Special Town Council meeting and the August and September 2018 Financial Statements; seconded by Ms. Landing. All present voted in favor.

VII. CORRESPONDENCE AND PUBLIC STATEMENTS

Will Bagwell, 317 Station 22, Sullivan's Island, stated that he also has a business at 266 Coleman Boulevard in Mount Pleasant. He is here to address both of the Shem Creek items on the agenda and hopefully provide Council with some information that may help with their decision-making. He commended the members of the Shem Creek Task Force, who have sacrificed a great deal of their own time over the past two years to accomplish this work. He added that it is obvious that their hearts are in the right place. When he suggested the idea of a task force almost three years ago, it was not well received at that time. He said, thankfully, Councilman Owens helped put it on the agenda, which was approved unanimously. He said he did not mean for this to cost the Town funding, but now that the Taskforce has completed their work and brought in their scope to include all aspects of the Creek beyond the fleet, he appreciates what they have accomplished and hopes that the Town is able to find a way to fund what the Task Force is requesting. He said the other Shem Creek item on the agenda is the sale of the Wando Dock which is the old Wando Shrimp property which is the most important private property remaining in use by the fleet. He said the long-time owners of the property have reached the point where they are ready to sell as any owner has the right to do. Fortunately, there was a buyer with the intention of preserving it who had the means to step in and obtain a loan to purchase the property. He said the buyer is a childhood friend who grew up around the Creek and is an honest and hardworking individual. He said he has been working with him over the past several months to make protecting this property a reality. He said the buyer has enough funding to close on the property and carry it for a short time; however, he is not in a position to donate this property but is taking a great personal financial risk by holding this property for the community.

Barry Wolff, 1468 Pocahontas Street, stated that any issues that he has had with any Council members he would like to put behind him. He said everything is good. He said that we have become the United States of Mount Pleasant and a reflection of what is happening in our country. He said if he disagrees with Council, he is somehow not as good as Council members. If he does not want a Medal of Honor Museum that is 125 feet tall, he is somehow less American. He said we need to stop being what we see every day on Fox News or CNN News. He said we are the Town of Mount Pleasant and we are better than this and anything that he has been personally responsible for, he apologizes for, but wants us all to move forward as a Town. He wants to put any indifferences behind and work together as a team and community and learn that we can work together. He would like to put the vitriol aside, as well as egos and just be Mount Pleasant.

Cheryll Woods-Flowers, 1529 Old Village Drive, stated that she would first like to congratulate the Mount Pleasant Police Department not just for their re-accreditation, but for achieving a score of 100%. She said she would like to thank Council for giving the Shem Creek Task Force (SCTF), the opportunity to do a thorough study of what we all believe is the most iconic area of the Town. The SCTF agreed that the Creek and the Creekside business should remain principally as a working creek. In preserving the area's designation as a working creek, the SCTF believes that the Town is simultaneously protecting the history and culture of the Town by retaining its primary uses. The SCTF hopes that the community will make it a priority to promote Shem Creek by supporting our local seafood industry and by participating and preserving the Creek by allowing it to operate this way – the same way it has throughout history, which is a working creek. The SCTF proceeded through the RFQ process and looked at two talented firms that submitted a proposal. The Evaluation Committee met with Procurement Staff after completing their review and evaluation of the process. The Committee then directed staff to proceed with negotiations for the top ranked firm. She added that after discussion, the SCTF made the decision to request additional funding in the amount of \$125,000 to supplement the \$50,000 that was budgeted for several years. She stated that the

additional funding would enable the SCTF to continue the process. The members of the SCTF remain committed to the goal of preserving, promoting and protecting the unique history, nature and economy of the Shem Creek study area. The SCTF recognizes the need to balance uses in and around Shem Creek, so as to preserve the natural amenity for future generations and looks forward to completing this process. The SCTF hopes that Council will look favorably upon their request.

Alex Smith, 1002 Anna Knapp, stated that he is attending on behalf of the East Cooper Land Trust. He said in reference to the Wando Dock property, East Cooper Land Trust does not believe the land is safe from the uses that may hurt the seafood industry at this time. He said in discussions they have had with the purchaser, the purchaser is considering several options for this property, including maintaining the seafood industry, yet he still needs a return on his land investment. He said this type of return simply cannot be made from the profits of the seafood industry. He said that East Cooper Land Trust maintains its position that the industry can be made sustainable if the high land values are removed from the equation. Public and privately raised funds can be put to good use by locking up this land forever for use by the industry. He stated that East Cooper Land Trust would like to partner with the Town to strengthen and sustain this local industry into the future. He said they would like to apply for grants totaling \$2 million dollars towards the acquisition for a purchase of the land or for the purchase of a conservation easement on the entire property. He added that although they have a plan to raise this funding, their window of opportunity to obtain those funds is closing rapidly. He stated that they need the Town's commitment to contribute additional funds as a match for the full purchase price to move this project forward. He stated that East Cooper Land Trust's primary goal is to hold a conservation easement on the land and in terms of ownership, either the Town of Mount Pleasant or a public non-profit could play that role. He said if the Town does not participate, the property will likely fall into other uses. He said it is not action that is threatening the shrimping fleet, but inaction. He said that if the Town puts off reaching an inclusive decision

regarding their financial investment, a one-time opportunity will pass us all by.

Mark Mason, Mason Law Firm, 405 W. Coleman Boulevard, stated that a number of years ago, he and Mr. DeMoura traveled to Murrell's Inlet to view their boardwalk and wished that Mount Pleasant could create such a place. He said at that time he owned the OK Tire Property, which is currently the Shem Creek Park. He stated that at that time, Councilman Bustos encouraged him to look beyond private development to what something such as a beautiful boardwalk and park could do for the Town, which he was pleased to do. He said now he looks out his window each day and sees a number of people enjoying the boardwalk. He said he is here today to oppose the development of the storage facility at Peachtree Plaza, which is in the corridor and gateway to Shem Creek. He said Shem Creek is going to end up being near the storage facility instead of what really could be there. He said that the property at Peachtree is connected to Shem Creek in many ways. He said the entire Broadway Street, although in Charleston County, is the last frontier, as it is the same marsh and same view once you reach a second story. He said the storage facility will be a huge building in the donut hole of Charleston County and everyone on Council knows what it means to be in a donut hole, which is a developer side-stepping the Town and perhaps not needing sewer or anything from the Town. He said that can work in Charleston County where they do not have the same appreciation for all the planning that is taking place in the Town, especially with respect to Shem Creek. He said when the Town acquired the Ok Tire Store and the Shem Creek Park from him, it was in negotiation with a private developer. He would like to suggest sitting down with the private developer to determine what can be done to convince to annex into the Town and create something that everyone will appreciate. He said the developers are running the numbers on the storage facilities and it is simply about the money. He said there is more to this than just money.

Pat Sullivan, 1002 Plantation Court, stated that she would like to once again bring up flooding. She said this is something that the Coastal

Conservation League is working on very seriously and asking the communities in this area to get together with them to obtain some County funding that will help with the flooding, as it relates to transportation. She is aware that the Town is working on flooding with Snee Farm and the Old Village; however, there is much more that needs to be done which will be heard at the Public Services Committee report. She stated that she would like to thank the Council member on that Committee for making this happen. She said additionally, one of the issues that has scored the highest in the Comprehensive Plan, not just from that Committee, but from the public, is retaining our lowcountry community character which is extremely important. She said that this is their intention to make this a very big part of their plan. She said in reference to Shem Creek, she completely agrees that this is a place we must preserve. Her request is to look at the whole character of the Town and to fold this into the work that the Comprehensive Plan Committee is doing, because they are very concerned about the history, culture and preserving our historic places.

Laurie Bixler, 144 3rd Avenue, stated that Councilman Brimmer requested that she provide documentation at the Planning meeting which she has with her this evening. She stated that this is information regarding precedent on Short Term Rentals (STR). She said as the Town moves forward and comes up with new regulations for STR's, she hopes Council will keep in mind grandfathering or giving non-conforming use to those who have abided by the rules. She stated that there is little precedent in the documents from South Carolina regarding this as well. She stated that lastly, she would like to comment on item #8 and ask Town Council to address this quickly and move past it. She said she likes everyone on Town Council and although she was offended, she would like to rapidly move past that item and address Shem Creek, Short Term Rentals (STR), the Medal of Honor Museum and other items. She thanked Town Council for their hard work.

John Wright, 145 Rose Lane, stated that he would like to support East Cooper Land Trust and Will Bagwell to save the Wando Dock. He said to

please do all they can, as he grew up there and does not wish to see it go away.

Cindy Tarvin, 337 Sewee Circle, stated that she also works out of the Wando Docks and is the owner of Tarvin Seafood. She stated that she would like to encourage Council to work with the East Cooper Land Trust, because a conservation easement is critical. She said the property can be sold, but the easement conveys with the property, so this is truly the only way it can be protected. She said the entire parcel is critical to the fishing community. She stated that the fish dock functions; however, if the Town would truly like to save the creek, there needs to be additional infrastructure. She said for example, there needs to be a small retail market, additional refrigeration and an ice plant. She said the idea that it could function as a provisioning dock could have happened 20 to 30 years ago, but the industry and the Creek have changed. She feels that the best way to preserve the fleet is to recreate a small modern version of what used to exist. She said the Wando property, in its entirety is the only parcel large enough to do this. She believes the Town can play a role and that the fishing community can support the purchase after the initial investment. She stated that the fishing community can certainly support the ongoing expenses associated with it. She said there are ways the Town can participate presently and in the future. She stated that they have done this at Tarvin Seafood and it can be done successfully on a larger scale.

Mr. Santos made a motion to amend the agenda to move an item under Council New Business, Item 11.A.7 up to 8.A.1 under Planning; seconded by Mr. O'Rourke.

Mr. Brimmer asked what the purpose was for doing so.

Mr. Santos stated that there are people present who would like to hear this item, and General Livingston is also present this evening. He does not believe the public should wait until the end of the meeting, as the agenda is lengthy.

Mr. Brimmer stated that his issue with moving agenda items such as this one is that there may be residents who read the agenda and

realized it was at the end of the agenda. Those residents may show up later and would have missed this item. He would prefer following what was published.

Ms. Whitley and Mr. Brimmer were opposed; all others present were in favor. Motion to amend the agenda carries 7-2.

VIII. PLANNING – Mr. Ulma

[Planning Committee Minutes](#)

[Planning Commission Minutes](#)

A. NEW BUSINESS

Discussion and possible action regarding the Medal of Honor Museum

Stephanie Zweban, 3631 Spindrift Drive, stated that she is disappointed, and her neighbors are as well, that the Town did not approve the revised lower height rendition of the Medal of Honor Museum that was created by Moishe Safdie. She said it was a first-class rendition and when the museum shared with them the firm that is going to be doing the interior and all the attractions within the museum, this was a first-class operation as well. She said it would have been a very much improved Patriots Point attraction. She understands that the Town is not completely out of the running; however, she would like to strongly encourage Town Council to do whatever possible to again be the first site to get the Medal of Honor Museum and to bring this world-class attraction to Mount Pleasant.

Mayor Haynie advised Ms. Zweban that the application was not submitted to the Town, nor was it voted upon. He said the second design was not denied, because it was never submitted.

Ms. Zweban stated that whatever has occurred perhaps the public is not aware of it, which has caused them to take this action to enlarge the scope. She is encouraging the Town to bring it back to Mount Pleasant.

Mayor Haynie stated that if anyone is here this evening expecting a vote, it is not on the agenda, because it has not been submitted to the Town of Mount Pleasant.

Mr. Cunnane requested that Mr. Daniels be granted more than two minutes.

Mr. Haynie stated that he also has General Livingston present at his invitation, so he will be provided the same courtesy.

Joe Daniels, CEO National Medal of Honor Museum, stated that their mission at the NMOHM is to make the museum a reality and get more than 3,500 of our country's bravest heroes the recognition they deserve and inspire all Americans about the virtues of putting service over self, courage, integrity, sacrifice and patriotism. They aspire to preserve these stories of their recipients in order to harness the power that these narratives have to inspire tens of millions of Americans in current and future generations to implement the Medal's core values in our everyday lives. This project was conceptualized many years ago as part of the overall development at Patriots Point and the Foundation that he represents was officially created back in 2012. He said throughout the life of this project, it has undergone a number of shifts in leadership resulting in him becoming the 4th CEO since 2015. He was previously the President and CEO of the National 9/11 Memorial and Museum at the World Trade Center. He began this role in April 2018 and it became immediately evident that the public needed to be engaged in the process of creating this museum. He stated that as documented, conversations and meetings with Town staff and Town leadership had been going on since the architect Moshe Safdie was selected in 2014; however, no public input had been obtained even though the project was being developed on public land. He said although a 60-day deferral had been granted on submitting the existing design, which they greatly appreciated, they felt it was necessary to hold off on submitting a design altogether until they heard from the public. He said over the summer, they held a series of public engagement sessions; on the Yorktown, at Alhambra, and another at Wando High

School. He said they wanted to hear the input on what the public desired to see in a National Medal of Honor Museum located on the banks of Charleston and requested feedback on the architect's interpretations. He said they also conducted extensive online public polling. He said it may not have been a perfect process and he has heard a number of opinions regarding this, but it was an open process with integrity which he will continue to stand behind. He said that as they were preparing to submit, he was told by a member of Town Council of a potential alternative concept that would greatly reduce the organization's fundraising obligations and guarantee completion of the project. His response to this proposal was to once again hold off for a few weeks to hear more details about this concept. He said while those details were never forthcoming he had the honor of attending the Medal of Honor Convention in Annapolis, Maryland and it spoke at length to the Medal of Honor recipients of which there are 73 living today. He said they expressed a keen understanding of the importance of this mission but brought up fundamental questions about how to create this museum. He said among these questions included were why the current location of the museum was selected and how this market could support the number of annual visitors that they felt were needed to have the intended impact of the museum's mission. He said the role of their staff and board are to constantly assess what the best ways are to achieve this lofty goal, and questions similar to what he heard from the Medal of Honor recipients have been brought up as a part of ongoing Board discussions. He said with these in mind, their Board has decided that they have a responsibility to make the greatest impact possible on our fellow Americans and central to the success of this goal is to reach as many people as possible with these inspiring stories. Therefore, the organization is undertaking a targeted national search to explore potential alternative locations. He said key criteria for the search include market size, proven tourism destination both overall and patriotic tourism and community support for our nation's history. These parameters may evolve as the process unfolds. He said once the initial research phase

is completed and the interest of qualifying cities is determined over the next few months, the museum will issue a targeted Request For Proposal (RFP). He is grateful for the support they have received from so many members of the Mount Pleasant community. He added that it has been an honor to be here and should Mount Pleasant wish to respond to their RFP, they would welcome it and seriously evaluate it. He said that most members of this community have been tremendous in their support and 99+% of those that he has been able to meet with in this Town support the Medal of Honor Museum and want to see a museum built that honors these heroes. He said there are many people in this community that did not like the design and that is okay. He said as Mr. Wolff stated, “you can disagree, but that does not mean that we cannot go and share a drink with one another”. He deeply respects those who support this museum, have worked hard and written editorials, and gone to bat to make this museum happen. He said this is something he will never forget.

Mr. Cunnane stated that Mr. Daniels was reported in the press as saying that he had “headwinds” from Town Officials. He believes the public deserves to know what those were. He stated that this is a \$20 million-dollar economic impact that is leaving the Town if the museum leaves. He said clarifying this for the public would be appropriate.

Mr. Daniels stated that he would like to emphasize that the reason that the NMOHM is considering other locations is that they believe this museum will be something that every American needs to visit. He said as wonderful as Mount Pleasant and Charleston are, there are certain quantitative factors that would suggest that if your mission is to reach as many people as possible, you would potentially wish to consider other markets. He said as far as the headwinds, the bottom line is that this project has been slated to be here for more than 6+ years and not enough progress has happened, and his organization and past administrations deserve to take accountability for this lack of progress. He said it was a surprise to him when he got

here on April 2nd at a Planning Committee meeting, was that he does not believe that this museum could be a success without a real partnership with the Town of Mount Pleasant. He genuinely, as an organization and his Board supported the idea of listening to the community and working with the Town. He said there were things that happened, which he does not believe are productive to discuss, and despite how much of an impact they made, personally they are not worth discussing. He said when they have a public meeting or talk to individual members of Mount Pleasant and a Medal of Honor Recipient, seeing a member of Town Council get up and walk out of the room in the middle of the meeting when the Town is speaking really sent a signal to him that their outreach was not being perceived as genuine. He said what he can say here right now, is that the outreach was genuine and he does not know what was said that was offensive to cause this individual to walk out on a Medal of Honor Recipient, but feels that they tried as much as possible to make this a process that included as many people that wanted to be engaged.

Ms. Landing stated that she put together ten bullet points to send before the Board voted on Friday and sent a copy to Mr. Daniels as well as all her fellow Council members and Mayor Haynie. She said one of them was to address what sounded like the major concern, which was a genuine one, which is that they want everyone in America and around the globe to see the stories of our heroes. She pointed out the numbers which she received from the Convention and Visitor Bureau. She said from 2014, visitors to the Charleston Metro Area were approximately 3.9 million and as of last year, it was 6.9 million and as of 2018, it is well over 7 million per year. She said there are many things to see in the Charleston metro area; however, not nearly as many as in Washington, DC; New York City; Dallas, TX and quite a few other areas. She said if this is the major reason why we are hearing about a nation-wide search, she said they have the #1 destination spot in the county right here and have over 7 million visitors a year already, before the Medal of Honor Museum is built.

Mr. Daniels stated that he appreciates Ms. Landing's advocacy, and from an economic development perspective, these things have incredible impacts on the economy. He said at the World Trade Center when he began in 2005 and Ground Zero was a hole in the ground, it was impossible to imagine what it would be like now 17 years later after 9/11. He said the memorial and museum were the heart of a rebuilt World Trade Center. It is surrounded by tremendous amounts of commercial, residential and retail so that economic impact is there. He said of the metrics they will look at, one is total tourist market size, which the Charleston Metro Area, at 7 million visitors, is lower than some of the other markets that they are looking at. But, the other key metric is what they call "Top Preferred Destinations", which is where people want to go and Charleston rates extremely high on that metric, as does Maui, Hawaii, where many like to go, but is farther away. He said this is a very important leading indicator for visitation. He said other parts of this metric is Patriotic Tourism. They are trying to get a cultural mindset. He said when he first arrived in South Carolina, early on when Patriots Point did their 9/11 Commemoration, in his first weeks as CEO, the entire community seemed extremely supportive, remembering what it means to be an American, what people have gone through to sacrifice for this freedom. He stated that the Town of Mount Pleasant scores very high. He said the overall market size is smaller than some of the other areas they will be looking at, but they would love to include Mount Pleasant in their targeted search.

Mr. Brimmer stated that as mentioned earlier, one of the important factors in locating to Mount Pleasant would be knowing that the NMOHF had a partner in the Town. He asked if Mr. Daniels feels as if he has that partnership with the Town as strongly as he would like and if not, it would seem to him that one strategy to figure that out would be to submit a proposal to see what the Town's support is. He said if the support is not there, then he will know. He said if it does not receive approval, Mr. Daniels could still go on with the studies, but would still have this to pursue or not pursue. He asked Mr.

Daniels to address his thoughts as to whether he feels that the partnership is in place today to move forward.

Mr. Daniels stated that he believes that the additional time that the NMOHF had to talk to more recipients and the NMOHF added new board members, that if they had submitted the plan, he believes 100% that the plan would have been approved by this Council. He said he does not believe the vote would be 9-0 but being a democracy, they would only need five favorable votes. He said there was so much positive support and community engagement. He said during the process of the three public meetings, it was not perfect. He appreciates all the Council members that did attend any of the meetings. He said Mount Pleasant is a Town of 86,000+ but it is the people that show up to have their voices heard are those that matter. He said all three meetings were filled with residents who were interested. Some hated the original design, and some loved it. When the alternative designs were displayed, what he was most disappointed in was the idea that one was intentionally done so poorly that it would force them to choose the initial design or the one that was derivative of it. However, the bottom line is that he feels the partnership is there with the Town of Mount Pleasant. He said their Board is saying if they could measure their attendance annually in millions and not in thousands, should they look at this. He said that they do not want to give the impression that Mount Pleasant is a backup option.

Mr. Brimmer stated that this is extremely valuable for the foundation, the recipients and the citizens of this Town to know where the Town stands so that the NMOHF is able to make the best decision possible. He said if the NMOHF does not have the support, then they know to move on. However, the question still remains that as long as the question is still out there, it will continue to be non-productive.

Ms. Landing stated that one of the things that is being asked is why the Town is not supporting this; however, the Town has not once had the opportunity to vote on this. She said there was a Planning

Commission that reviewed the earlier design of 144 feet and one Planning Committee meeting. She said as an elected body, Town Council has never had an opportunity to speak on this.

Mr. O'Rourke said that when he received the news Friday that the NMOHF was going to do a search, he did not believe it and it really bothered him. He asked if Mr. Daniels could tell Council when everything switched so fast. He said this project has been going on for years and began with support from the State, the Patriots Point Development Authority, and from the Town of Mount Pleasant. Although he has only been on Council for less than a year, he said that Mr. Daniels is not the first person in that position that he has met with. He said the NMOHF urging Council to do this was unbelievable. He said all of a sudden, Mr. Daniels came to Town and now the NMOHF is leaving, which is very troubling to him. He said that the Town does not get the luxury of having meetings that everyone cannot see, which is a good thing. However, Mr. Daniels has had his telephone calls and all that Town Council is advised of is what is read in the paper and Mr. Daniels' prepared statement this evening about how all these other areas may be better for their goals. He has what the goals were for the last ten years that this has been in the making, and now in two months, all the goals switched. He said he does not believe this is ever coming back. He does not know if Mr. Daniels and the group he represents will ever build the NMOHM at Patriots Point. He is not saying there will never be one there but believes the ship has sailed and it is very troubling to him. He understands he is sounding accusatory; however, when Mr. Daniels came into Town, the whole game plan switched.

Mr. Daniels stated that he took this job with the intention of 100% building this museum in this very special place, without question. He said at some level, there is a fundamental observation that took place and much of this was in an illuminating moment when he was in Annapolis with the Medal of Honor recipients. He said it was a mix of apathy and cynicism about the project. It was cynicism because he is the 4th CEO that has gone before the MOH recipients reporting

great news about great progress and nothing is happening. He said the recipients had apathy because there are some recipients who did not understand what the rationale was about choosing Mount Pleasant as the initial location. He said in 2010, Patriots Point did a master plan that discussed the redevelopment of Patriots Point. In that master plan, they referenced and discussed much about a land-based Medal of Honor Museum. He said they are 100% correct; it would be great for Patriots Point and this Town, but as soon as the museum entity was created as a 501c3 with a mission to create a national museum, the NMOHF board felt that they had an obligation to say, "if they are going to do something great, can they have a bigger impact". He said what he believes changed it was adding board members. He said they had approximately 17 board members and in February 2017 more than half the board quit the project publicly, which is never good for a non-profit. He said this did not help the mission. He believes that the organization is responsible for many of those errors. He said when you add new board members that have no specific geographic ties, they are saying that they have a fiduciary responsibility to create this museum that we call America's next national treasure, which means it needs as many people as possible. He said he understands that it happened fast and said he and the organization had zero intention of coming in and taking the project away, because they still think this is such a special place. He said that it does come down to the numbers and the new Board felt that they needed to at least look at the potential of other opportunities.

Mayor Haynie stated that he would now like to recognize our resident Medal of Honor recipient, Major General James Livingston and thanked him for his service to our country.

Major General Livingston thanked Town Council and the Mayor for this opportunity as well as the citizens of Mount Pleasant for their interest in the NMOH museum. He said that he believes everyone is in full concurrence to have this museum in Mount Pleasant. He said he is troubled by some of the answers and there are so many

questions out in the public that he is not able to deal with. He said to remember what this museum is all about. He said this museum is about service and sacrifice and about having a young kid go through the front door and come out the back door and be motivated about what America is about and what we represent and want to give back. He said this is what the museum represents. He said there are only 74 recipients still living. He said he has heard various comments, because he has been involved in this museum for a number of years and is guilty as charged as a member of the Board. He said he admits that the Board was a pretty dysfunctional outfit when he was a member. He said the reason he left the Board is because they hired a CEO for \$400,000 plus benefits and he did not believe he could look into the eyes of the American people and ask them for money. He said there were seven members of the Board and he had approximately \$20 million dollars' worth of checks that were ready to be written when he and the Board members all walked away, because he could not deal with the issues in front of him. He said he would like to speak about this nation of size. He said when they first started this museum, they hired a company called PGAV from St. Louis. He said they were superb in dealing with the issues of setting up a museum. He said they studied the idea of this museum for two years. He said the conclusion of that study was that they would have enough people coming to the museum that it would maintain the museum, which is what they were looking for. He said they would be able to maintain the museum without going out every year and begging for money. He said this is all he wanted out of the study. He said he would like to back up and discuss numbers and experiences. How does a guy, who is the first active CEO put the WWII museum together in New Orleans, Louisiana? He said that everyone said that it was going to be a failure. He advised people that the only catch they have in New Orleans is the French Quarter and Andrew Higgins. He said Andrew Higgins was the one who built all the landing craft and President (then General) Dwight Eisenhower said, "Andrew Higgins won the war". General Livingstone said he used this as a hook to begin this museum. He stated that this WWII museum today is the

2nd most significant museum in the Country. He said there is approximately \$600 million dollars' worth of investment and almost one million people a year. The number of people in New Orleans is larger than the tourist population. However, two-thirds of the people come to New Orleans for Mardi Gras to take their old face off, put on a new one, and have a party on Bourbon Street, not to go to a WWII museum. He said there is real correlation. He said his feeling is that this community will have very significant numbers of more people visiting this Medal of Honor Museum, because this is not a regional museum. He said the Yorktown is a regional museum. He said there are 100 ships around this nation that are museums and there are approximately 14 that he would call significant and they are all regional. He said the NMOH museum is a national and international museum, totally a different situation. He said the argument that we need to go to another city to increase the numbers is not so. He said one of the things he learned from the developer is that he has been involved in significant developments. He said this is a process of laws and a process that you go through when going into the community. He said he learned very quickly as a developer that every move he made he wanted people around him agreeing with him. He said you do not go in and try to bulldoze through a project without understanding and going through that process. He said the divisive nature of this project for the past six months is an affront almost to the service and sacrifice of the men who went to war and became recipients of the Medal of Honor. He said that he is terribly disappointed to the point of being emotional. He said these are the things that bother him. He said the State supported this, the County supported it and the Town of Mount Pleasant has done a magnificent job supporting this museum. He said we are creating fault lines here and he has never seen fault lines in this community. He came here because he loves this community. He said his wife is from South Carolina and he is from Georgia. He said they love this area, and this is the best community in the world, and he has traveled all over the world. He said people need to talk to Paul Campbell about the airport, because he said that we are on a growth pattern. He said we

have an opportunity and said the delegation is with them and said he does not believe anyone will go against a South Carolina delegation. He said he believes that the Governor is with him and he will be meeting with him and other senators tomorrow. He said he has never had a pushback in this community, in the State and during his last visit to Washington, DC, he met with Steve Scalise, one of the most significant congressmen, who was the one shot in Washington, DC. He stated that Congressman Steve Scalise had 100 Congressmen sitting in front of him while he talked about the Medal of Honor Museum in Mount Pleasant, South Carolina. He said there was not one pushback. He said there were also the senators. He said that the fundamentals are here with the beauty and history that are here and the kind of people that we will expect to come to that museum will come here. He said all we have to do is build it and they will come. He said trying to count numbers now is the biggest mistake he has ever heard of.

Mayor Haynie stated that he is reviewing the Articles of Incorporation of the Museum Foundation which is a South Carolina Non-Profit Corporation. He said there are four signatures on the Articles of Incorporation and believes General Livingston's is one of them.

General Livingston responded in the affirmative.

Mayor Haynie asked General Livingston if he was involved since the very beginning.

General Livingston responded in the affirmative.

Mayor Haynie stated that General Livingston was also their liaison officially or unofficially to the Society which everyone knows is the recipients of the medal. He said it must have been a huge disappointment for General Livingston to resign from the board of a foundation that he helped incorporate.

General Livingston responded in the affirmative.

Mayor Haynie stated that he has another letter dated November 2014, signed by Directors of that Foundation asking General

Livingston not to be the liaison any longer. He said there were issues dating back to 2014.

General Livingston stated that they offered him the Chairman Emeritus to go out and raise all the money.

Mayor Haynie stated that he is reviewing the 2016 990 Form, filed by the NMOH Museum Foundation. He said they raised \$3.8 million and \$3 million came from the State of South Carolina. He asked General Livingston if he helped raise these funds.

Major Livingston stated that he went to the State and was involved in getting that kind of money from the State, because he had received that kind of money to start the WWII Museum. He said there was significant public input for that museum to get started quickly.

Mayor Haynie asked General Livingston to speak to the aspect of a public/private partnership which he posted publicly at a Patriots Point Development Authority meeting. He asked General Livingston if he has had conversations with him regarding this issue since that time.

General Livingston stated that they may have discussed it briefly.

Mayor Haynie stated that he brought up his idea to General Livingston and what that entailed. He said he shared this information to see if the General had any advice, just to get the building done and approved in order to get it built.

General Livingston stated to do the bricks and mortar with a public/private partnership and have the Museum Foundation be the source of raising the money for the exhibits. He said this could be done quickly. He said that we can be emotional about this museum all night, but this museum, at the end of the day, is a business proposition. He said emotions do not raise any money. Business practices, business propositions and raising money will. He said we can work through this. The current design, plus the road will cost in excess of \$125 million dollars. He said the current contract with the Patriots Point Authority is for four additional years. He said this

money would have to be raised in two years and then two years to build the museum. He said as a business proposition, this is a big leap of faith and it is going to require the right Board of Directors. He said that we can get the right board right here in this community and those he knows around the county would be willing to come back. He said it is not possible without having a national Board of Directors and they were well on their way to doing this.

Mr. O'Rourke thanked General Livingston for his service. He asked if he was hearing the General say that there is an opportunity for a Medal of Honor Museum to be built in this Town with new partnerships, new Boards, and the Town moving forward.

General Livingston said he believes Mr. O'Rourke is exactly right. He said that we need to look at different propositions on how to make this happen and he will not advocate for one or the other.

Mr. Santos thanked General Livingston for attending this evening as well as Mr. Daniels. He stated that he agrees with what Councilwoman Landing stated, that this is the most information he has received on the Medal of Honor Museum since it began. He said there have been a couple of Councilmembers that have been involved; however, the rest of Council had no idea what was going on.

General Livingston stated that his concern was that Council did not have the full story and were reacting to partial information. He said Council did not understand it and the total business proposition was not clear to Council. He said he will not get into all the details this evening, but Council needs to understand this story.

Mr. Santos stated that this is why the invitation was extended so that Council could hear what was going on.

General Livingston stated that regarding the business proposition, not everyone has signed the contract for the road, asphalt is going up, a road pass is going up, a contingency fund needs to be put in, the museum's steel and concrete are going up. He said it is a very complicated design and he does not know if it is going to have to be

pre-fab on all sides, how much powering is going to be required, and whether we have all the permits from all the agencies around the State and Federal Government. He said he does not know all this information. He said Mount Pleasant can do anything.

Mr. Santos stated that with General Livingston, we have a great future here.

Mr. Owens stated that he knows that General Livingston has provided over his life, several projects of this magnitude and has done them well. His issue with some of this is that Council members did not hear, other than from social media or the newspaper, what was going on, whether with the Patriots Point Development Authority (PPDA) or the National Medal of Honor Foundation (NMOHF) but hope they would have a better sense of communication going forward. He said it is essential in the process. He said as long as everyone is on the same page and people are able to work together, he would like to see Medal of Honor Museum. He said this is something the entire community and the Town have rallied around in support of. He would encourage all parties to come together and have better communication with Town Council as they would like to be a part of the solution and not add to the problems. He said Council does not have all the details.

General Livingston said he believes we are beginning to move beyond the emotional side of this, which is what it has been for the past six months; an emotional proposition which has been very divisive for this community, and he hates to see this. He said we all need to lock arms, understand the business proposition of this museum and understand the consequences of having it here. He said it is the right place at the right time and there will be no bigger fan than himself. He said we need to make some things right and get everything understood by all the members of the bodies; however, Mount Pleasant can make it happen.

Mr. Owens stated that General Livingston made a key point in saying that this has divided the community and it has also divided some of

the members of this Council. He stated that we all need to rally around this and become more cohesive.

Mr. Brimmer stated that this is not regarding the museum; however, he is going to go home this evening to his 20-year-old son who is heading to Parris Island next month and let him know that he has listened to and had a chance to see a Marine General and American Hero this evening. He would love for his son to meet General Livingston before he departs.

General Livingston stated that he used to be in charge of all the training. He stated that he resides at 365 Cooper River Drive at The Tides and would be happy to meet Mr. Brimmer's son.

Mayor Haynie stated that Council members signed a proclamation last Friday expressing their unwavering support to have this NMOH museum built in the Town of Mount Pleasant. He said he is not sure there is any further action.

Mr. O'Rourke stated that he thinks there could be further action. He said that every day that goes by, we get further away from what the goal is. He said he does not know what the action is, but he would urge Mayor Haynie to think about where this discussion needs to be held. He asked if it should be in Committee, or if a special Committee needs to be created. He believes the Town and Patriots Point Development Authority need to have discussions about possibilities and how we move forward. He said if we wait until tonight, we are 30 more days away from this.

Mayor Haynie stated that when Mr. O'Rourke talks about the Town of Mount Pleasant making a bid, this is not Town property, it is Patriots Point's property and they have a lease with the current Foundation and also have a three-way contract that runs through 2023. He said they have urged swift clarity from the PPDA, because the Town needs to know where they stand, what happens to the contract. He said the Town cannot step in front of PPDA, because they are the landlord, but he agrees. He said he is on the telephone

with General Livingston every day. He said as soon as the Town is able to take action, a Special meeting will be called.

Mr. Cunnane stated that what we missed is that we should have been speaking to Mr. Daniels, as well, every day. He listened to what Mayor Haynie stated at the August 2018 meeting, but said that the Mayor wanted it to be fitting and appropriately sustainable.

Mayor Haynie stated that he wanted it to be befitting and sustainable.

Mr. Cunnane stated that he continued to read in the newspaper that there was objection after objection coming from Mayor Haynie and another Council member almost every three days or weekly. He said this evening while listening to the Mayor being interviewed, he heard Mayor Haynie say that, "the Town has never wavered", but said something happened here. He said from the August Town Council meeting here, he went to the Patriots Point Development Authority and listened to the way Mr. Daniels was treated. He said there were a few instances that came up that simply were not right in the way he was treated. He said that the Town is a welcoming community and does not believe the community would be proud of the way that this transpired. He said Council needs to be looking at an "after action" and how do we prevent that type of business in the future. He said we talk about divisiveness, but the #1 question they asked of Mr. Daniels was, "are you from here?" He said this was on much of Mayor Haynie's supporters' social media. He said that was somewhat expressed by the Board as well. He said it was very troubling to him and hopes we can move past this for good.

Mayor Haynie stated that as a member of the Patriots Point Development Authority, the members of that Board have dealt with this issue for six years. He said the lease was signed in 2013 and Mr. Daniels has been on hand for six months, so there was a great deal of frustration, which Mr. Daniels said himself, which is all on record as saying that everyone is frustrated with six years of lack of progress. He said Mr. Daniels himself is frustrated with this. He said some of what Mr. Cunnane may have heard is the frustration with

the lack of progress. He said there were dates that were not met, extensions that were provided from 2017 to 2018, and then a forbearance; and then under the lease they have to have escrowed \$125 million in 22 months from now and no one in that room felt that it was going to happen. He said there are Board members who are appointed by Columbia by the Senate and the Governor and they must explain where the PPDA stands and why they made these decisions and what is happening with this valuable piece of property. He said for years and years a ghost hotel sat there that was not finished. He said no one wanted to go back to Columbia. He said the life of the lease for that was \$250 million dollars.

Ms. Landing stated that she was underestimating because it was fourteen acres, not ten acres, so it was well over that amount.

Mayor Haynie stated that he will speak in defense of those on the Patriots Point Development Authority Board, because they wanted answers and clarity and as stewards of a \$280 million gift to this project, which he does not believe anyone else has given, they had a right to express some frustration.

Ms. Whitley stated that she echoes Councilman Brimmer and thinks it is unfortunate that this project never had an opportunity to come before full Council, who never had an opportunity to approve or deny the revised proposal that was put forth after the public meetings. She also believes that it is interesting that Mr. Daniels has invited the Town to submit an RFP as a Town to indicate that we would like to have the museum here and explain why. She said Ms. Landing's very detailed email highlighting things such as the dollar a year lease, over \$5 million dollars from the State and the number of tourists that come to this Town really make it clear that Mount Pleasant, South Carolina is the right place for the Medal of Honor Museum and it should be here. She thinks that it is unfortunate that the Board of the Medal of Honor Museum has chosen to do a nationwide search without attempting to further work with the Town and has allowed the ex-parte things that have happened in the news and statements that have been made, to encourage them to look

elsewhere. She thinks that the Town should potentially move forward with agreeing to, or putting into Committee discussions, submitting the RFP so that the Town can keep the museum here.

Mayor Haynie stated that he needs to make it clear to everyone that what that effectively is doing is turning the tables on the landlord and the tenant. He said the landlord has issued an extension and a forbearance and the Town cannot get ahead of Patriots Point as the stewards of that land, by saying that the Town wants to turn the tables and turn them into someone begging a tenant to whom they have given forbearance to please choose them. He said they have done a tremendous job and they and the Town of Mount Pleasant have stuck with the Medal of Honor Museum Foundation through its darkest hours, Board resignations, four CEO's in three years. He said they have not had a CEO that lives here in the past three. He said the Town cannot just sit here and say we want Patriots Point to now start bidding on this. He said it is for them to decide where they stand and how they are going to handle the lease. He said they are also being asked to account for what happens to the \$5 million dollars now that it is in the Museum Foundation's account. He stated that this was not a pledge, but they have this cash now. He said those items must be dealt with before Mount Pleasant begins jumping ahead of them with good intentions.

Mr. Cunnane stated that at the Patriots Point Development Authority meeting, he stated that he is not going to go over the comments made to Mr. Daniels about being from New York, because he is actually from New Jersey. He said there was a great deal of harping regarding the \$5 million dollars in State funding. He stated that Mr. Daniels provided the name of the bank that it is held in and said that it is being held in escrow. He said if they leave the State, the funding will obviously come back, or perhaps they will build it in Charleston across the harbor and keep the \$5 million dollars. He said the next day, all over social media, were inuendoes about the Foundation's finances. He said he found out that the same CEO raised \$500 million at the World Trade Center Museum. He said that

\$5 million is being held over the head of a CEO that raised \$500 million and Town Council did not receive any updates other than what was seen in the newspaper. He said it was delayed by the Planning Committee of Council and they requested additional input and then those that requested input could not be bothered to show up at all the meetings.

Ms. Landing stated that if she is understanding what was in the email to Council as well as Mr. Daniels words this evening, Town Council is not in a position to send an RFP anyway, because we would have to make the short-list first after they conduct a nationwide search. She does not believe this is even part of the discussion at this point and she is in agreement with Mayor Haynie that it is difficult to turn the tables so quickly and suddenly say that we must ask really hard for something that we already had here. She said at this point, this is not even the Town's option.

Mr. Bustos stated he has purposely been quiet about this. He said he and Mr. Santos were on Town Council in the early 2000 when this Town initially gave \$300,000 which was a fair sum at that time to build the initial Medal of Honor Museum. He said they have followed this all these years through changes of CEO's, moving relatives back and forth across the country, and a number of things. He said he would like to correct Mr. Cunnane, because as the Chairman of the Planning Committee, the Committee did not hold up any submittal. He said the Planning Commission recommended denial unanimously. He said when Mr. Phillips came into the Planning Committee, he withdrew the submittal even before the Planning Committee could even hear it or discuss it. The next month, Mr. Daniels came in and said he is going to scrap the whole design, scrap the whole proposal and asked for an extension which turned into several extensions and a waiver for resubmittal to bring it in again and possibly get it to the Planning Committee. He said it never came back, although Mr. Daniels walked around very proudly and said that "he has six votes and the money, and it does not matter". He stated that Mr. Daniels never submitted. He said he does not know how Mr.

Daniels was treated at the Patriots Point Development Authority and does not care. He said all he cares about is that the public understands factually that it was not submitted and did not come to the Planning Committee.

Mr. Cunnane stated that it was on the agenda, which was his point.

Mr. Bustos stated that this is not the same. Mr. Phillips withdrew it. He said there is a great deal of emotion regarding this museum and thinks that most people understand that when it comes to road projects and buildings, Mount Pleasant needs to be the master of their own destiny, which he has advocated for since 2000 when he was first elected. He said if we continue to keep our hand out to everyone in order to build roads or do anything, we are always going to be behind. He said the Town built Hungryneck Boulevard themselves. He stated that he wanted to take money from the Coleman Boulevard project and build Highway 41, but that did not work out. He said he would like to suggest that as we move forward, that Mount Pleasant look at being the lead and masters of our own destiny, because Mount Pleasant was the leader when this museum first came about. Let's get this museum built. He said the Town of Mount Pleasant can do it, but if we are courting everyone else, we will not be able to do it.

Mr. Owens said he would like to ensure that not only Council, but everyone else involved, come together to promote the goodwill that the Medal of Honor Museum stands for. He does not know that the Town, particularly this Council, has done everything that it could to bring or welcome the Medal of Honor Museum in. He said he may be mistaken, because he does not know all the details. He said this is because Council was not notified of the details. He has heard a number of stories from various people who said, "one Council member said he was in charge and if you want anything done, come to me and go through me, because I'm in charge". He stated that no one Council member is in charge, because it takes all nine members to operate and govern this fine Town. He said all of Council takes great pride and pleasure in offering the citizens the best services that

can humanly be provided. He said he must do a better job on this Council to communicate better with its members and members of the community, with the PPDA. He said hopefully groundwork has been made in the last hour, but it is important for all of Council to come together in a cohesive fashion and to make something so monumental as the Medal of Honor Museum come to fruition. He said it is going to take all of Council. He said no one person is in charge and no one has the right to act unilaterally and speak on behalf of this Council without its approval. He said he hopes there are a lot of lessons learned going forward so the same mistakes are not made twice or over again and again. He said he hopes all the details can be worked out we and become a community that inspires all the citizens.

Mayor Haynie asked Mr. O'Rourke, as Chairman of the Finance Committee, if he would consider, with another member of his Committee, to do some exploration into what it would take to move forward with this idea, to gather information and bring it to the Finance Committee next month. He asked Mr. O'Rourke to look into how a museum can be built here in the Town of Mount Pleasant, keeping Patriots Point involved and just bring that information to the Finance Committee, no action or statements.

Mr. O'Rourke said that he would be happy to do so. He said he would suggest Ms. Landing be the other Finance Committee member to work with him on this project.

Ms. Landing stated that a discussion was already started in the Economic Development Committee and this would be excellent for both Committees.

Mr. O'Rourke stated that Ms. Landing has done a great deal of research and would be a good member for this.

Ms. Whitley stated that for clarification, what this is saying is that Council bypass the Medal of Honor Museum Foundation and say that we, as a Town, want to get this museum built independently.

Mr. O'Rourke stated that he does not believe we are saying this at this time, but it is important to remain openminded and do what Mayor Haynie is requesting, which is to bring back information. He said after the information is provided, that may or may not be a suggestion, but he believes that the Town should go into this with an open mind to find the facts so that this entire Council is able to make some decisions.

Mayor Haynie said to keep in mind that the Patriots Point Development Authority meets on the third Friday of October when adding this on the November Finance Committee meeting.

Mr. Cunnane stated that this idea is fantastic and discussing it here in a Council meeting is the right way. Two people from the Finance Committee will go out and bring information back. He pointed out that this is not what happened the first time and hopes it does not happen again. He said there is a great deal of talent on Council; however, everyone must communicate.

Mayor Haynie called for a short break at 8:00 p.m.

Mayor Haynie reconvened the meeting at 8:14 p.m.

1. **First Reading:** An Ordinance providing for the annexation of an approximately 0.98 acre tract of land located at 4325 Royal New Kent Court, identified by TMS No. 632-00-00-095 and as Lot 21 on a plat recorded by the Charleston County ROD Office in Plat Book EG, Page 109-113. (Ord. No. 18070)

Mr. Brimmer moved to approve items VIII.A.1 through VIII.A.5 together; seconded by Mr. Owens.

Mr. Brimmer stated that all of these items have been unanimously approved by the Planning Committee.

All present voted in favor.

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

2. **First Reading:** An Ordinance providing for the annexation of an approximately 0.80 acre tract of land located at 1826 Omni Blvd., identified by TMS No. 561-01-00-018 and depicted as Lot 23,

Block E on a plat recorded by the Charleston County ROD Office in Plat Book BP, Page 163. (Ord. No. 18071)

[Approved in item 1]

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

- 3. First Reading:** An Ordinance providing for the annexation of an approximately 0.68 acre tract of land located at 1334 Venning Road identified by TMS No. 562-14-00-010 and depicted as Lot 12 on a plat recorded by the Charleston County ROD Office in Plat Book H, Page 26. (Ord. No. 18072)

[Approved in item 1]

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

- 4. First Reading:** An Ordinance providing for the annexation of an approximately 0.54 acre tract of land located at 3749 Station Point Court, identified by TMS No. 596-08-00-044 and depicted as Lot 42, Block A on a plat recorded by the Charleston County ROD Office in Plat Book EA, Page 86. (Ord. No. 18073)

[Approved in item 1]

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

- 5. First Reading:** An Ordinance providing for the annexation of an approximately 1.49 acre tract of land located at 1708 Omni Blvd., identified by TMS No. 561-01-00-034 and depicted as Lot 17, Block E on a plat recorded by the Charleston County ROD Office in Plat Book BN, Page 191. (Ord. No. 18074)

[Approved in item 1]

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

- 6. First Reading:** An Ordinance to amend the Town of Mount Pleasant Code of Ordinances, Chapter 155, Land Development Regulations, by deleting Section 155.073, Park and Recreational Areas, and adding a new Section 155.054, Greenspace Preservation and Protection Plan, to establish intent, purpose, and standards for new residential development. (Ord. No. 18075)

Ms. Cannon stated that this was heard as a public hearing two months ago. This was the second portion to the overall Tree and Vegetation amendments that staff has been working on from the Zoning Code. She said as they worked on the zoning code text amendments, staff decided that more work needed to be done and amendments needed to be made to the Land Development Regulations (LDRs). She said they wanted to have more greenspace, more buffers and to address these with new residential developments. She said to summarize what this entails, it would apply to residential developments five acres and larger only. She said when they originally brought this forward, they looked at three acres and felt this was too small and needed to increase it to five acres. She said it would require a tree and topographical exhibit. She said there are two main components to the LDR requirements; you will have to have a 25-foot natural and undisturbed buffer along the roadway and secondly, there would be internal areas of preservation. She said they have also changed this based on public input. She said previously there was 30% required set aside and based on the input and going through different scenarios, staff decided to separate this out and did not want to do this based on zoning. She said it is based on lot size, so that instead of 30% across the board, there would be 20% for lots 10 square feet and larger and that would encompass R1, Community Conservation and PD's that have larger lots. She said they kept the 30% for lots under 10,000 square feet, which would be R2, R3 and PD's with smaller lots. She said this would be a new ordinance in the land development regulations.

Mr. Brimmer moved for approval; seconded by Mr. Owens.

Mr. Santos asked if there is any possibility to keep recreational in there with greenspace preservation and protection plan, because we started a program called "Neighborhood Sports", where we have children ages 4 to 8 years old who play in their own neighborhoods. This would be a grassy area where it can be coned off so that parents do not have to rush home, get their small

children and go to the neighborhood complexes so their children can play micro soccer and flag football. He said it would be easier for them to come home and go to the neighborhood greenspace area. He is skeptical about removing the word recreational because it sounds as if we do not want recreational activities in those greenspace areas, because the new program encourages this. He was hoping to add recreational in this.

Mayor Haynie asked if it was in the wording and taken out.

Mr. Santos stated that it is in there currently, but staff is suggesting deleting the section that says Park and Recreational areas and adding a new section.

Mayor Haynie asked if there was a technical or legal reason why this was deleted.

Ms. Canon stated that this new section is replacing the other section 155.073 and that does not require these pocket parks that Mr. Santos is referring to. She said they wanted natural undisturbed buffers and these small pocket parks are something that would be provided as an incentive by the developer, particularly with larger developments. She stated that you do not typically see pocket parks with small developments anyway and thought they would open it up. She said they did add a section #3 and it talks about where trails would be allowed and pedestrian benches. Staff's thought was that if the development was large enough that the developer would offer this anyway.

Mr. Santos stated that he would rather not depend on the developers to offer this incentive. With the cost of land in Mount Pleasant, the developers would like to develop as much as possible. He said requiring "recreational" in the wording so it can be used would be preferable.

Mayor Haynie stated that this is first reading with a motion and second and most of the other items in the ordinance consist of good things. He suggested approving first reading and either go back to Committee or amending this at second reading.

Mr. Santos agreed.

Mr. Brimmer stated that if he understands this correctly, these changes do not necessarily take away anything, but adds more greenspace to what already exists.

Ms. Cannon stated that it does delete a section in the LDR's. She said currently staff has a formula for open space which is outdated. She said it does replace that section, but there is no specific section requiring pocket parks, but something that can be reviewed prior to second reading.

Mr. Cunnane stated that there was significant discussion regarding pine trees and asked for the result of those discussions.

Ms. Cannon stated that another phase of all the amendments is that they would like to look at making the requirements for individual homeowners less burdensome, which will come at a future time. She said there was discussion about protecting pines and then it became long-leaf pines. She said it was not about protecting a pine tree, but protecting clusters, which can be accomplished through the LDR amendment. She said when you talk about a buffer that this new LDR amendment would require, you are talking about a 25-foot natural undisturbed buffer so any pine trees in that buffer would be protected without amending the zoning code and protecting pines for everyone throughout the Town.

Mr. Santos 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.

- 7. First Reading:** An Ordinance to amend various sections of the Vegetation Requirements and Tree Protection Divisions of Chapter 156 of the Mount Pleasant Code of Ordinances. (Ord. No. 18076)

Ms. Cannon stated that staff has been working on the second portion of this for over a year and these are changes to the zoning code. She said the requirement for a townhouse buffer was overly burdensome and there were no requirements for duplexes. She stated that the Planning Commission recommended that those two be combined, instead of a D type buffer against single family C, so that duplexes and townhouses both have the same buffer. She said they also discussed the standard street side buffer, which is buffer yard B. She said it was recommended that five understory trees be required, instead of the three currently required. She stated that another recommendation from the Planning Commission was to encourage a diversity in the planting and by doing this, they wanted at least 50% of the total quantity of canopy and understory trees to be a native species. She said this language was added and denoted the list of trees by whether or not they were native. She said the Town currently has a handful of special buffer yards; however, where a special buffer yard does not exist, there was no language in place or any requirements in place if there is no language in place. She said they put these requirements in based on other sections of the Town ordinance so if there is no special buffer yard in place, what the standards would be for replanting that buffer yard. She said the next section is likely the biggest change coming out of the zoning code text amendments, which is the critical like buffer. She said there are currently two sections; one requires a 15-foot critical like buffer and the other is a 35-foot buffer. She said what the Planning Commission recommended was to keep those in place but have a new standard, which would be an average of a 50-foot critical line buffer, and the minimum width would be 30 feet. She said what would put this into effect is if lots were subdivided or lot lines are adjusted, then the 50-foot requirement would be required. She said if you left your lot lines and were not subdividing property, your current critical like buffer requirements would be maintained.

Mayor Haynie stated that for clarification, a minimum width of thirty means that to get to the average of 50 feet, no part of that may be less than 30 feet wide.

Ms. Cannon stated that they use an averaging technique because every piece of property is different, but the minimum width of 30 feet is maintained which is equal to the Town's impervious surface setback, so it makes it all consistent.

Mr. Cunnane asked if this only applies to places against the water where the critical line is.

Ms. Cannon stated that it is just where the critical line buffer falls. She stated that the next section was addressed later in the process at the request of a citizen and had to do with the critical line buffer date of effectiveness. She said there was an original date of adoption in January 2000 and later in 2001 when there was an amendment, there was a different original adoption put in of September 2000. She said a resident of Mount Pleasant wanted the Planning Commission to consider rolling back that original adoption date. The Planning Commission considered it but did not make a recommendation and then the Planning Committee recommended to leave it at September 12, 2000. She said the next section of the zoning code amendments are in the trees. She said this is where they went back and forth on the pine trees, whether they should be put into category 3. She said they left them in category 4 and attempted to address them through the LDR amendments. She said they did make existing residential have the same replacement requirements that they did previously. She said if there is a new residential subdivision, they move it over to make it equal to the same requirements that their commercial standards are. She said they went back and forth with the five and three acres on the LDR's. She said they have another requirement in the zoning code that says you must have a minimum of 160 caliper inches of protected trees. She said they applied that same standard to new residential subdivisions. She said if you have a new development coming in and it does not

meet that five-acre rule, they are still going to be held with 160-inch requirement so there will still be that minimum standard that currently is not there for residential development that they do have for commercial. She said the remaining is that there is a set amount for the amount paid into the tree bank in lieu of planting. She said they changed this to one and a half times the wholesale value instead of a flat number. She said lastly, they wanted better protective barricades around tree protection, so this was strengthened up.

Mr. Brimmer moved to approve; seconded by Mr. Cunnane.

Mr. Owens asked Ms. Cannon to explain the chain link protective barricades, where the Town has done away with the orange and is now going to a chain link barrier.

Ms. Cannon stated that part of the issue here is that their inspectors would go out and it would be lying down and so the Town wanted something that would be sturdier and strengthen this requirement,

Mr. Owens asked if there would be maintenance on these chain link fences as well because with heavy equipment and utilities, they are bound to get knocked over.

Mr. Santos stated that he has seen where the Town has had some developments cut down more trees than they were supposed to, and they end up paying the Town for cutting down those trees. He said it appears easier for those developers to pay the Town than to work around the trees. He said he would like to see this cost increase. He said that he sees too much clear cutting and would like to see more teeth in the Town's ordinances that will penalize developers for cutting down more trees.

Ms. Cannon stated that this one and a half times the cost is not the penalty to taking down a tree with the proper approvals. She said there is another ordinance that they are leaving "as is", because it is 200% of the size removed. She said this is still a stiff penalty currently for the illegal removal of a tree. She said this is

just if you receive approval to remove certain trees and must mitigate those trees, you must prove that you are not able to plant them onsite and the Zoning Administrator must approve this, then you are able to pay into the tree bank in lieu of.

Mr. Bernard stated that we are talking about four-inch trees, so you are not able to find four-inch trees at retail outlets. He said it is very rare to find a tree that size in the retail environment. He said if you want to increase it to 1 ½ to whatever it ends up being, is to stay with the retail, because those are the wholesale nurseries that are going to carry those bigger trees that landscapers have access to.

Mr. Brimmer stated that this is something that the Town's Planning staff has been working on for over a year and is about keeping more trees in the ground during development. He said it is about encouraging developers to build around the trees instead of taking them out and it is about protecting and softening the view from the road onto these parcels. He stated that this is a complex ordinance and staff has done a great job of sorting through all the issues for better architecture, more trees and more pleasant surroundings.

All present voted in favor.

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

8. **First Reading:** An Ordinance providing for the annexation of an approximately 2.20 acre tract of land known as Lot 5, Located at 1306 Old Rosebud Trail, identified by TMS No. 615-00-00-140, and depicted on a plat recorded by the Charleston County ROD Office in Plat Book EH, Page 978. (Ord. No. 18078)

Mr. Santos moved to approve items VIII.A.8 through VIII.A.10 for annexation; seconded by Mr. Owens. All present voted in favor.

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

9. **First Reading:** An Ordinance providing for the annexation of an approximately 0.62 acre tract of land located at 3721 Station

Point Court, identified by TMS No. 596-08-00-037 and depicted as Lot 35, Block A on a plat recorded by the Charleston County ROD Office in Plat Book EA, Page 86. (Ord. No. 18079)

[Approved with item #8]

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

10. **First Reading:** An Ordinance Providing for the annexation of an approximately 0.63 acre tract of land located at 1009 Theodore Road, identified by TMS No. 614-00-00-301 and depicted as Lot G on a plat recorded by the Charleston County ROD Office in Plat Book EC, Page 071. (Ord. No. 18080)

[Approved with item #8]

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

11. **First Reading:** An Ordinance to rezone from R-1, Low Density Residential District, to AB, Areawide Business District, an approximately 0.53 acre tract of land located at 1108 Graddick Road, identified by TMS No. 559-00-00-176 and depicted on a plat recorded by the Charleston County ROD Office in Plat Book S08, Page 0101. (Ord. No. 18081)

Mr. Bustos moved for approval; seconded by Mr. Brimmer.

Mr. Santos and Mr. Owens opposed. All others present voted in favor. Motion carries 7-2.

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

12. **First Reading:** An Ordinance to zone PD-CD, Planned Development-Conservation Design District, an approximately 2.20 acre tract of land known as Lot 5, Located at 1306 Old Rosebud Trail, identified by TMS No. 615-00-00-140, and depicted on a plat recorded by the Charleston County ROD Office in Plat Book EH, Page 978. (Ord. No. 18082)

Mr. Bustos moved for approval; seconded by Mr. Brimmer.

Mr. Owens opposed; all others voted in favor. Motion carries 8-1.

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

13. **First Reading:** An Ordinance to rezone from R-1, Low Density Residential District, to RC-2, Rural Conservation-2 District, an approximately 10.20 acre tract of land located at 1450 Chandler Road, identified by TMS No. 615-00-00-089. (Ord. No. 18083)

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

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

14. **First Reading:** An Ordinance to rezone from OP, Office Professional District, to TH, Townhouse District, an approximately 0.67 acre tract of land located on Nantahala Boulevard, Identified by TMS No. 558-01-00-077 and depicted as Lot A-2, Block G in Wando East Subdivision on a plat recorded by the Charleston County ROD Office in Plat Book AQ, Page 049. (Ord. No. 18084)

Mr. Ulma stated that both items #14 and #15 go together and both related to rezoning and the amendment to the Comprehensive Plan. He said the first public hearing was held this evening.

Mr. Owens moved to deny items #14 and #15; seconded by Mr. Santos.

Mr. Brimmer stated that he has a question for the Legal staff. He said since one is a rezoning and the other is a Comprehensive Plan amendment, should they be grouped together with one vote.

Mr. Pagliarini stated that it can be done, unless any member of Council objects. He said if any Council member would like to vote on the two items separately, they must state it now.

Mr. Bustos stated that this is next to Townhomes and is in an awkward stretch of road between Mathis Ferry and Nantahala Boulevard. He asked Mr. Ulma which zoning will create less traffic on that corner.

Mr. Ulma stated that this was a point of discussion during review of this item at the Planning Commission and as it is now zoned Office Professional, this would generate more traffic under the

existing zoning than what is being requested in terms of the Townhouse. He said based on the size of the property, you may be able to put a four-unit Townhome building on this property, which would generate less traffic

Mayor Haynie asked how many units.

Mr. Ulma stated four units.

Mr. Bustos stated that he does not see a business shoe-horned into the corner next to the Townhomes, and what is being proposed would match what is there now. He said with the new High School going in, it will be difficult for a new business.

Mayor Haynie asked if residents from the neighborhood spoke about this proposal.

Mr. Ulma stated that there were speakers at the Planning Commission meeting and believes Council received an email today talking about the design and layout of the potential townhouse project. He said that site plan layouts have not yet been reviewed, which would come next.

Mayor Haynie stated that he understands Council is reviewing two months of Planning Committee items in one meeting and he thought this was the item where a number of residents requested that this be approved. He stated that he does not remember any objections.

Mr. Ulma stated that there were some supporters.

Mr. Santos stated that Council received an email today stating that the residents were against the proposed Townhomes, because the developer misrepresented their intentions.

Mr. Brimmer stated that he clarified the email. He said the email was talking about the design/site layout and was not addressing the zoning or the use of that property. He said the residents were more concerned about how the units were being sited. He said this is not to approve a site plan but saying whether this parcel is better suited as a residential parcel with Townhomes or is it

better suited as a business site, which is what the question is this evening.

Mr. Owens asked Mr. Ulma if there was any other commercial property in the area.

Mr. Ulma said that there are lining US 17; however, this parcel was zoned commercial originally on both sides of Mathis Ferry at the time, but when the road realignment occurred, it is now located on the side where the church currently sits, so it would be similar to what is across the road generally.

Mr. Owens stated that at a time when the Town is attempting to encourage commercial growth and concurrently attempting to reduce residential growth, he will not be supporting this.

Jay Karen, 1541 Wando View Street, Daniel Island, stated that he is under contract to develop this parcel of property with permission from the existing owner. He said if you do look at the map, while there is commercial development around this parcel, he lived in the back in Hunters Run in 1999 where he bought his first house after getting married. He said back then, Mathis Ferry Road ran in front, so it made sense in 1999 that this was commercial, because Mathis Ferry was frontage to it. He said it was forgotten when the road was realigned. He met with the neighbors and his plan was to build four Townhouses and keep as many trees as possible on that lot as greenscreen. He said they all liked the project, because they do not want to see anything commercial go on that parcel, because with the permitted uses, the residents are worried about what could go there. He said Ms. Marlow's email was likely a by-product of his transparency. He said his architect drew a sidewalk on the site plans and she became upset because a sidewalk was not supposed to go in. He met with Ms. Marlow today at her office and she is no longer opposed to this and is in favor. He added that they have the neighbor's support. He reviewed various trip generations for a medical or commercial office. He stated that it is approximately six times the traffic if a physician's office is put in there. He said

he would like to point to the Town's document in relationship to the Comprehensive Plan that the following list of applicable Comprehensive Plan goals and strategies is to provide so that they may be considered along with this zoning request: *(1) recognize the protect the character of Mount Pleasant's existing residential neighborhoods and communities.* He said building something commercial there would violate this; however, building something residential would preserve it; *(2) Recognize the significance of historic, traditional, rural and planned communities and maintain their desirable characteristics such as prevailing densities, building types and quiet streets.* He said this meets that requirement. *(3) Ensure that new development in residential districts is compatible in scale and character and conserves important neighborhood characteristics.* He said this project accomplishes all three. He said maintaining it as Office Professional runs the risk of something going there that the neighborhood does not desire and would violate the three items that he just reviewed.

Mr. Santos stated that a neighborhood coffee shop could be put in and the neighbors could walk or ride their bicycles and it would be a good use. He said one of his issues is that there is a Committee currently reviewing the Comprehensive Plan and will be coming to Council in the near future. He said he does not want to get ahead of this group and change the Comprehensive Plan while they are currently working on it, as it sends them the wrong message. He believes there can be neighborhood commercial on that parcel.

Mr. Karen stated that a coffee shop would bring more people and traffic than a medical office and the traffic with the new high school coming in will make it a significant challenge. He said this was the #1 consideration of the Planning Commission and Committee.

Mr. Cunnane stated that he will also not support this, because he believes Office Professional provides an opportunity for

entrepreneurs and to lose this to Townhomes hurts the Town's business climate. He said a small business could come in and a doctor who is renting currently could build a small office there. He said he personally owns an Office Professional area and said there are not many in the Town and Council needs to be careful about doing away with this. He said big proposals get built; however, the small commercial offices for those starting out do not have that many opportunities. He said he does not believe that turning this into residential is the right move.

Mr. Karen stated that he is an entrepreneur and plans to hold onto these units for twenty years.

Mayor Haynie stated that there is a motion on the floor to deny.

Mr. Pagliarini stated that as it has been presented, this will address both items #14 and #15, so if any Council member would prefer to split these two items, he would suggest doing so now.

Mr. Cunnane, Mr. Owens and Mr. Santos were in favor of denial. All others present were opposed. Motion to deny fails 3-6.

Mr. Bustos moved to approve both items #14 and #15; seconded by Mr. Brimmer.

Mr. Cunnane, Mr. Owens and Mr. Santos were opposed. All others present were in favor of approval. Motion to approve carries 6-3.

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

15. **First Reading:** An Ordinance to amend the Town of Mount Pleasant Comprehensive Plan 2009-2019 (2014 Update) Future Land Use Map pertaining to an approximately 0.67 acre tract of land located on Nantahala Boulevard, identified by TMS No. 558-01-00-077 and depicted as Lot A-2, Block G in Wando East Subdivision on a plat recorded by the Charleston County ROD Office in Plat Book AQ, Page 049, by changing the land use recommendation from Commercial to Medium density Neighborhood. (Ord. No. 18085)

[Approved with item #14]

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

16. **First Reading:** An Ordinance to amend the Principal Use Conditions division of Chapter 156 of the Mount Pleasant Code of Ordinances, specifically pertaining to Zoning Code Section 156.326(C)(3)(F), which establishes conditions associated with a Pump Stations. Proposed is to amend the required buffers, setbacks and design approval. (Ord. No. 18086)

Mr. Ulma stated that this is a text amendment to the zoning code. He stated that staff has been working with staff at Mount Pleasant Waterworks (MPW) on attempting to establish the standards under which pump stations would be constructed and developed. He stated that some adjustments have been made on the requirements in terms of buffering, fencing and those types of features and propose to move it to allow these facilities to be reviewed at the staff level. He said adjustments and changes have been made based on additional input from MPW and have recommendations to approve from both the Planning Commission and Planning Committee.

Mr. Brimmer stated that he plans to support this; however, would like to request, prior to second reading, a review of text around setbacks on the amended inside setbacks which says, "a seven foot setback shall be established for all property lines". He said he believes the intent here was to ensure there is a minimum amount of space; however, his concern is that in developments where they have a more generous buffer, that this be the standard and not be reduced back to seven feet.

Mayor Haynie asked if this can be amended prior to second reading.

Mr. Brimmer said it can but wanted this to be reviewed prior to second reading.

Mr. Owens asked if this is based on a 50x50 site.

Mr. Ulma responded in the affirmative and said this is generally the size and it is tight.

Mr. Owens stated that the minimum standards are 50x50 and they are going to incorporate seven foot setbacks within that parameter.

Mr. Ulma responded in the affirmative and added that they would be buffering and landscaping the exterior of the fence within the seven foot setback.

Mr. Brimmer moved to approve; seconded by Mr. Owens. All present voted in favor.

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

B. OLD BUSINESS

1. **Final Reading:** An Ordinance providing for an amendment to the Pepper Tract PD, Planned Development District Ordinance (Ord. No. 11048, as amended) by amending the square footage limitations on buildings associated with specific uses as identified in "Attachment E: Permitted Uses for RC and I Zoning Classifications." (Ord. No. 18046)

Mr. Brimmer moved for a thirty day deferral on this item; seconded by Ms. Landing. All present voted in favor of deferral.

2. **Final Reading:** An Ordinance providing for the annexation of an approximately 0.66 acre tract of land located at 1330 Venning Road, identified by TMS No. 562-14-00-011 and depicted as Lot 13 on a plat recorded by Charleston County ROD Office in Plat Book H, Page 26. (Ord. No. 18058)

Mr. Santos moved for approval of items #2, #3, #4 and #5; seconded by Ms. Landing. All present voted in favor.

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 0.82 acre tract of land located at 1783 Omni Boulevard, identified by TMS No. 561-01-00-063 and depicted as Lot 23, Block D on a plat recorded by the Charleston County ROD Office in Plat Book BP, Page 163. (Ord. No. 18059)

[Approved with item #2]

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 0.6 acre tract of land located at 997 Theodore Road, identified by TMS No. 614-00-00-303 and depicted as Lot P on a plat recorded by Charleston County ROD Office in Plat Book EC, Page 71. (Ord. No. 18060)

[Approved with item #2]

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 1.41 acre tract of land located at 1625 Aztec Lane, identified by TMS No. 561-01-00-054 and depicted as Lot 14, Block D on a plat recorded by Charleston County ROD Office in Plat Book BN, Page 191. (Ord. No. 18061)

[Approved with item #2]

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

6. **Final Reading:** An Ordinance to rezone from First Baptist Church North PD-MU-SR, Planned Development-Mixed Use Suburban Rural, to AB, Areawide Business District, an approximately 4.48 acre tract of land located on the corner of North Highway 17 and George Browder Boulevard and identified by TMS No. 598-00-00-404 and depicted on a plat recorded by the Charleston County ROD Office in Plat Book L08, Page 174. (Ord. No. 18063)

Mr. Brimmer moved for approval of final reading of items #6 and #7; seconded by Mr. Bustos. All present voted in favor.

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

7. **Final Reading:** An Ordinance to rezone from First Baptist Church North PD-MU-SR, Planned Development – Mixed Use Suburban Rural, to PI-1, Public Institutional-1 District, an approximately 15.4 acre portion of a 19.71 acre tract of land located at 1151 George Browder Boulevard and identified by TMS No. 598-00-00-007 and depicted on a plat recorded by the Charleston County ROD Office in Plat Book L15, Page 0096. (Ord. No. 18064)

[Approved with item #6]

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

8. **Final Reading:** An Ordinance to amend Zoning Code Section 156.318, Urban Corridor Overlay District, and elsewhere within Chapter 156 of the Mount Pleasant Code of Ordinances, by modifying the boundaries of the District to remove the portion of Ben Sawyer Boulevard from Rifle Range Road to the Bridge from the Overlay, to remove Single Family Residential Uses as a permitted use on properties within the Urban Corridor Overlay District whose underlying zoning is Commercial, and removing the nomenclature “Urban Corridor” and replacing with Boulevard Overlay. (Ord. No. 18066)

Mr. Santos moved for final reading; seconded by Ms. Landing.

Mr. Cunnane stated that he is still wondering how the Town can add the Chuck Dawley Boulevard Overlay to this and move it along. He said there are a number of people who still have this item on their radar. He said there are big lots in that area that are vulnerable to conversion to density that no one wants.

Mr. Bustos stated that they did this first item and Chuck Dawley is coming next, followed by Coleman Boulevard and Johnnie Dodds Boulevard. He said it is coming.

Mr. Santos asked if this also includes single family residential and thought this would be included in the Coleman Boulevard item.

Mr. Bustos stated that instead of having a big overlay district, they are looking to create boulevards. He said as they do Chuck Dawley and Coleman, they will be addressing those boulevards in the Planning Committee and bringing those to full Council.

All present voted in favor.

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

9. **Final Reading:** An Ordinance providing for a *First Amendment* to Ordinance 16070, the Development Agreement by and between the Town of Mount Pleasant and PC Palmetto Investments, LLOC for the development known as Liberty Hill Farms. (Ord. No. 18067)

Mr. Brimmer moved for final reading; seconded by Mr. O'Rourke.

Mr. Ulma stated that the applicants have asked that the schedule of construction be taken out of the development agreement, with the total number of units remaining the same and the number of building permits they would be able to secure remains the same. He said rather than doing these early on, it moves the entire development out one more year as they have been working on other aspects of approvals and permits.

Mr. Bustos stated that he did not support this originally and will not be supporting it this evening.

Mr. Stuart Whiteside stated that he is available if there are any questions.

Mr. Bustos and Mayor Haynie were opposed. All others present voted in favor. Motion to approve carries 7-2.

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

(Mr. Bustos departed the meeting at 9:08 p.m.)

IX. COMMITTEE REPORTS

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

Report

B. [Bids & Purchases Committee](#)

Mr. Owens stated that the Committee unanimously approved the following recommendation:

- Approval to contract with Hughes Motors, Inc., in the amount of \$601,854 for the purchase of two automated side load refuse trucks.
- Approval to contract with AOS Specialty Contractors, Inc., in the amount of \$192,074.20 to construct the pedestrian access and historical marker at Johnnie Dodds Boulevard contingent upon SCDOT final approval.

C. [Economic Development Committee](#)

Ms. Landing stated that she would like to first recognize, as they did during the Committee meetings, the change in chairmanship for the Economic Development Committee and the Human Resources Committee. She and Mr. Brimmer have switched roles and she looks forward to chairing the Economic Development Committee going forward. She thanked Mr. Brimmer as well as Mayor Haynie.

She stated that she has a report, but no action items.

During their Committee meeting she introduced a proposal for the development and implementation of a business concierge program. She stated that Charleston County Economic Development has a similar program and theirs is primarily geared towards concierge service for businesses that are already existing. She said her proposal is designed to take businesses that are interested in coming to Mount Pleasant through all the steps, ensuring that the Town listens to their needs. She said it

would enhance the process from the staff's perspective to Council's perspective. She said this came about after a number of meetings she had with people who have proposed businesses or are in businesses now. They indicated to her that the process was very frustrating at times, because they would receive approvals working through staff and then get denied by full Council. She would like to streamline this process. She said they will attempt to implement this as quickly as possible and hopes to recruit more businesses and create more economic development for the Town. More information about this program will be forthcoming.

(Mr. Bustos returned at 9:11 p.m.)

Ms. Landing continued and stated that she invited the owner of the land at Pepper Plantation, because after last month's first reading passed, Council received numerous emails from the surrounding community stating that they were very upset with the increase in size of square footage for commercial buildings. She stated that they deferred the item and the owner and community have started to collaborate. She said if we work together, the Town can secure great businesses that the neighborhood wants to have nearby.

Ms. Landing added that the Committee discussed the potential economic impact of the Medal of Honor Museum at Patriots Point. She stated that they reviewed a 2016 study that was done by the National Medal of Honor Foundation Board and it was very significant, not only for the four years during construction, where approximately 450 jobs would be created from both Mount Pleasant and other areas. She said this would generate approximately \$45 million dollars in labor costs and an ongoing labor cost of \$23 million annually. She stated that they will continue to look at this, especially the financial aspect.

D. Education Committee

Ms. Whitley stated that they received a presentation from the Career and Technology program at Charleston County School

District. She stated that they would work with businesses and try and provide opportunities to connect students to real life employers. She said there will be an opportunity for student leaders at Wando High School to tour Town Hall and hear from one or more Town Council members about what their role is with the Town.

E. [Finance Committee](#)

Mr. O'Rourke stated that he has one action item and two items to report.

1. Consideration of funding request from the Shem Creek Task Force (SCTF)

Mr. O'Rourke stated that the Town received a request from the SCTF for an additional \$125,000 to support the current budget of \$50,000 for a Special Area Management Plan for the Shem Creek Study Area. He said the Finance Committee recommended approval of this request by a vote of 2-1 with one abstention.

Mr. O'Rourke moved that Council approves this additional funding for Shem Creek Task Force in the amount of \$125,000 with the results to become a part of the Comprehensive Plan; seconded by Mr. Santos.

Miles Martschink, 135 Toomer Lane, stated that he is a member of the SCTF. He stated that this is a group of diverse interests and they have spent many hours of work, bringing together many diverse issues and forces that affect the Creek and the adjoining areas. He said Shem Creek is the heart of Mount Pleasant and much of the Town's history is founded there. The Creek is a very eclectic grouping of recreational boating uses, commercial fishing and shrimping, residences, restaurants, charter boats offices and a hotel. He said Councilman Owens and others recognized the special need for an in-depth study two year ago on how to preserve and manage this most iconic resource. He said one of the several areas that the Taskforce is focused on and seeking approval for this evening includes the

shrimping and fishing industry which Council will discuss. He said their recommendations specifically talked about the Wando Docks, which is an important part of what the Taskforce is attempting to accomplish. He hopes this will be approved tonight and hopes it is not an “either / or”, because it needs to be both. He said they need the study and need to do something to preserve the Wando Docks. He said this is a very important part of this and if they lose the docks, there will be irreversible damage. He hopes Council will vote to approve both items.

Ms. Landing stated that she was the abstention because she did not have the scope of the study ahead of time. She has since received the study. She has great respect for the time, effort and capability of those who have served on the SCTF over the past several years. She said this funding will not solve the issues but it is for a study so that they can solve the issues. She said some of the issues that were brought up were maintaining the marsh, look, character and the buildings near the Creek. She is wondering if the solution could also be a combination of the various architectural review boards, zoning and planning members. She said another was maintaining the working status of the Creek and again, this is a market-driven issue. She said, “solving congestion and conflict of uses”, is related to regulation. She said, “solving water quality”, is already being implemented with the drainage work with the Coleman Boulevard Revitalization project, which is largely a water/sewer related project. She added that “buying local seafood” is a marketing campaign and a gate is needed where the boardwalk ends. She said a gate can be built; however, there is also a big project that has been approved that is set to begin soon to add on. She said there was also something about non-conforming structures on the Creek. She brings this up to point out that many of the things that need to be addressed in this study are things that will require coming back to Committees in order to get the work done. She said to spend \$125,000 for this; perhaps other Council members know more and can enlighten her.

Mr. Bustos asked if the Town is going to be participating in the Wando Docks.

Mayor Haynie stated that the possibility will be discussed.

Mr. Bustos stated that he would prefer saving the \$125,000 and put it towards the Wando Docks, rolling any consulting work or studies into the Comprehensive Plan. He said more funding may be required to accomplish this, but it is already in progress. He said rather than spending the funds for a consultant, he would rather hold onto the funding for possible use for the Wando Docks.

Mr. Owens stated that it is essential to ensure that we move forward with this study and once the study is received, then it can move towards the comprehensive plan, which can then envelope a plan of action and pursue the goals set by the study. He said not to do the study would not only do Shem Creek a disservice, but the entire Town. He said the Shem Creek area in its totality, not just everything on the side of the restaurants, but throughout its length, is very important and is the heart and soul of this community. He said it is more than essential for this study to take place so that we as a Town have a great understanding. He said one of the reasons why the Taskforce sought to elevate the cost, is because \$50,000 that was originally submitted was what was available in the budget. He said the Town was not aware what this study would entail, or the cost involved. He said putting together the funding may be a challenge; however, if the Town is able to provide funding to send a number of Council members and Town staff to the All-American City in Denver, Colorado, \$125,000 should be a mere pittance to protect the area in this Town that serves as its heart and soul. He said if we do not do this, we are providing a disserve to this Town, its residents and businesses. He would urge all Council members to get on board. He said to answer Ms. Landing's question, he believes she brings up a good point; however, he further believes that the study will bring resolution.

Mr. Cunnane stated that there are a lot of moving parts to the Creek and he did not realize it at first. He said there is more happening on the Creek than most people realize. He said there are the bars and restaurants, but there are also the shrimp boats interacting with the kayakers as well as the safety issues at the boat ramp, water quality issues, as well as other things. He said there was a stellar group selected and they were not always in agreement. However, they came together because it was important enough to come together. He said they shopped the study for \$50,000 and no one was willing to perform the study for this amount. He said they came back with a realistic budget for it and does not believe it is right to deny their request after all the time they have put into this project. He said he does not have an opinion on the Comprehensive Plan consultants; however, he did attend a meeting and asked them what communities they have worked with and most were suburbs in landlocked cities. They mentioned a place or two in Nashville with similarities to Mount Pleasant, but it is not certain they will be able to get the maritime experience accomplished. He said that Shem Creek is not the only creek in the Town, so going forward, looking at kayak traffic could possibly be addressed by looking at some of the other creeks as well. If the Town is able to provide other areas for kayak launch, there may be less kayaks interacting with shrimp boats. He said this is something to think about and suggested a possible Maritime Committee of Council and make this permanent in the future and look at it in the context of the whole Town. He is in support of this item, because he respects what the citizens have done over the last two years.

Mayor Haynie asked Mr. DeMoura if this will require a budget amendment or a budget revision if this is approved.

Mr. DeMoura responded in the affirmative and stated that if there was a motion and a second, he would ask for the authority to move funds around in the budget to pay for this.

Mr. O'Rourke asked where the funding came from for the Crab Bank study and was there a budget amendment for this.

Mr. DeMoura stated that he cannot recall, but believes contingency funds were lowered and is not sure if this is still capable of handling this kind of an impact.

Mayor Haynie stated that we all know a consultant needs to be hired to accomplish this project. He asked if the Comprehensive Plan consultant would be qualified. He reviewed the RFQ and the background scope of work as well as the establishment of a special area management plan. He said if we could utilize the Comprehensive Plan consultant, it would be (1) concurrent with the Comprehensive Plan; (2) a budget amendment may not be required, because there is already a budget for the Comprehensive Plan; and (3) every penny this saves could be put towards the Wando Dock. He said he does not know how this is not a win-win. He said if the consultants are equally qualified, does it matter.

Mr. O'Rourke stated that he does not believe this can be accomplished. He said this has been publicly bid and gone through a process. He does not believe the Town can simply sole-source someone we are already under contract with to do something with a completely different scope.

Mr. DeMoura stated that this can be done.

Mayor Haynie stated that it would be part of an ongoing project, which is the Comprehensive Plan.

Mr. DeMoura said that it would be a change order to the contract.

Mayor Haynie asked if there would be a difference in the amount of time it will take if we contract with the outside consultant, who will be starting brand new, and the Comprehensive Plan consultant has been working with the Town already.

Mr. DeMoura stated that they would have more familiarity.

Mr. Owens stated that the \$125,000 for additional resources for the outside consultant came back from a qualified source that could provide the services for the scope of work that the Shem Creek Task Force has requested. He said those funds are necessary for this one consultant. He said Mayor Haynie just mentioned that he was uncertain whether the Comprehensive Plan consultant would be able to provide the services necessary that cover the scope of work that the Taskforce has provided. He said once this study is completed, it would be wise to move it into the Comprehensive Plan and have the consultants come up with a plan of action for the results of the study.

Ms. Whitley stated that she is assuming that the Comprehensive Plan consultants are already studying Shem Creek as an area of our Town as part of the Comprehensive Plan. She said any other change order that they would receive would be an expansion on work that they are already doing, which she would hope would cost less than \$175,000. She said on the timing, if the Town approved the \$175,000 on this separate study that runs alongside the Comprehensive Plan and then at a later date is incorporated into the Comprehensive Plan, would it be an additional cost to the Town to have the consultants incorporate these findings into the Comprehensive Plan. She said whereas they could be streamlined by bringing something that the Comprehensive Plan is already looking at, expanding the scope of that and have it all be in one finalized document.

Mayor Haynie asked when the work with the outside consultant could commence for \$175,000.

Ms. Woods-Flowers stated that they went out three times to find someone with expertise that could bring a Special Area Plan that was reasonable in price. She said two of the submittals were not even reviewed, because there was not enough funding. She said they are fortunate to have two very qualified firms who have very specific expertise in maritime planning.

which is different from master planning. The Taskforce feels very comfortable with their expertise. She does not believe Shem Creek would get the attention it needs and deserves if we do not do this separately.

Mr. Owens stated that there is a finite plan with a finite cost to do the study and does not know what the cost would be if the Comprehensive Plan consultant were to get involved at this point. He asked if Council is basing what they are doing this evening on speculation and arbitrarily going with something they do not have any answers for or will Council select a consultant with a track record for this type of work as well as a cost in order to do the work.

Mr. Santos stated that if the recent hurricane had hit Mount Pleasant and Shem Creek, his understanding is that the Town would not be able to build Shem Creek back the way it is now. He said there would be new rulings from FEMA and other agencies. He said there are many questions about what could happen to Shem Creek if a hurricane does hit Mount Pleasant. He believes this report will provide much of the information as to what the Town is able to do in the event there is an issue such as a hurricane. He said there are also developers trying to buy up property to build a development and he would like to know what can and cannot be done, what can be protected and how, if we do have a disaster, it can be built back. He said there are so many questions that this study will help the Town with. He stated that this is not just about the funding, but the most iconic area in Mount Pleasant.

Mr. Brimmer asked Mr. O'Rourke if the Finance Committee decided or identified where these funds would come from.

Mr. O'Rourke responded in the negative.

Mr. Brimmer stated that according to the Town Administrator, the funding would have to come from somewhere that may already be budgeted. He said he is less comfortable being in

favor of this if he is uncertain where the funding will be taken from and which project will not be funded that has already been approved. He asked Mr. O'Rourke if the Finance Committee had discussion about less costly ways to obtain a consultant and obtain this information or was this the only option presented.

Mr. O'Rourke asked if Mr. Brimmer meant paying less for this study.

Mr. Brimmer responded in the affirmative and said perhaps alternative ways or using the consultant.

Mr. O'Rourke stated that this was not discussed. He said the Shem Creek Taskforce has already gone through their RFP process and the request was to fund their selection for the consultant. He said it was not about lowering the cost.

Mr. Brimmer stated that a financial analysis was not conducted of alternate ways of getting the information Council is seeking.

Mr. O'Rourke said it was a Request for Qualifications. He said the consultant was selected based on qualifications as well as the cost. He said the issue was that the Taskforce did not have a long list of consultants that submitted.

Mr. Brimmer stated that he is looking at the deliverables the Town would receive for the \$175,000.

Mr. O'Rourke stated that most of the discussion has been about cost and consultant, two important things; however, at the end of the day, it is not about, "let's beautify this area". He said this is an area of Town that is deteriorating daily. He said it is affecting neighbors, it goes into restaurants on the creek and where their employees park and how they are affecting the quality of life in that area. He said it goes into the safety of Shem Creek. He said the scope is so large that one of the reasons why he would like to support this is because every day we wake up, this continues to get worse and worse. He said it is not just the creek, but the other side, the neighborhoods and all the areas around it. He said it is safety, housing; it is everything. He said he

appreciates what Mr. Bustos suggested about the Wando Docks and using the funding for that. However; the scope of the study is not simply the Wando Dock, but all of Shem Creek. He said for him, it is about trying to find the answers that we need to stop the deterioration of arguably, the one portion of this community that defines Mount Pleasant.

Mayor Haynie stated that on the Background Scope of Work - continued potential issues for consideration: *Dedication of public dock space for the shrimping and fishing fleet.* He stated that there is another agenda item this evening which is that the Wando Dock is for sale. He said there is no other property on the creek large enough to become the kind of dock for the shrimping fleet to continue. He stated that he would rather put the funding towards saving the last dock than hiring a consultant. He does not understand why it has to be either or.

Mr. O'Rourke asked if a budget amendment would need to be done to save the Wando Dock and if there is even money in the budget for this.

Mayor Haynie stated that a budget amendment would need to be done for \$125,000 for a consultant.

Mr. Owens stated that it is certainly significantly less than \$3.5 million dollars (to purchase the Wando Docks).

Mr. O'Rourke stated that if there is no money and we cannot do anything, why are we even discussing the Wando Docks or anything.

Mayor Haynie stated that what it comes down to is, are we trying to save Shem Creek for kayaking or are we trying to save shrimping. He said when all of this came about, the Wando Dock was not for sale. He said it is now for sale and this window is closing every day. He said all he is asking is a chance to see if we can save money with the other consultant. He said if we cannot do so, then we cannot, but what is wrong with looking.

Mr. O'Rourke stated that if the Town can save the Wando Dock for \$175,000 then he is in favor.

Mr. Brimmer stated that he is attempting to look at this from a bigger scale. He said we have a third phase of Shem Creek Park underway and a few months ago, Council sat here and quickly spent \$100,000 on a study to protect Crab Bank, now it is \$175,000 for a study of Shem Creek, and an undetermined amount of money for some property. He said we must take a look at the totality of what we are investing in. He said at least two of these projects do not have funding identified. He said this means that money is going to be taken from somewhere else. He asked if this is going to be from Mr. Cunnane's budget for the firefighters, or upgrades to facilities, or Recreation? He said something must give, because Council cannot continue to say that we will find the money somewhere. He said that this is not a small sum, but taxpayer dollars, and Council should have a plan for where this funding is coming from before we spend it. He said at this time, it appears that we are going to spend it and worry about finding the funding later. He said that he is not comfortable with this as a steward of tax dollars. He said we all need to be better at this.

Mr. O'Rourke stated that Mr. Brimmer was comfortable enough with this process during the Crab Bank request.

Mr. Brimmer stated that he was uncomfortable with it but did vote in favor.

Mayor Haynie stated that there is a motion from the Finance Committee to approve the \$125,000.

Ms. Landing stated that serving on Bids & Purchases the Town constantly has requests for consultants. She said that everything is vetted very closely by staff and one of the reasons she abstained at the Finance Committee on the \$125,000 was not whether it was important or not, because it is, but whether Council should make this decision this quickly, because as far as

she is aware, the first time this was presented was last week and staff had not even seen it. She understands that the Shem Creek Taskforce has seen it, but as far as Town Council or Committees of Council, they have not. She said she does not want to oppose this, but feels uncomfortable, much like Councilman Brimmer, spending this amount of money for a study that will still need to come through the Comprehensive Plan or come back to Committees to make decisions on action items. She is merely looking for answers to questions. She asked if there is a way to spend more time on this.

Mr. Cunnane stated that he thinks that Council needs to think about the cost if we do not fund the consultant. He said if this study uncovers something that can be done now in order to save a great deal of money in the long run, this is what he is hoping for out of a maritime specialist conducting this study. He said to him it is worth it because he has seen the pictures of New Bern, North Carolina after one storm. He agrees that it is a lot of money and is expensive, but it is important enough and the cost of doing nothing while waiting could end up being more.

Mayor Haynie stated that there was a disaster in Georgetown five years ago where stores burned down on Front Street and asked if the Committee asked them how that was handled or what applied.

Ms. Cheryll Woods- Flowers stated that they did not. She said they had Rick Griles, the Town's Procurement Officer at every single meeting all the way through the process. She said Mr. Griles led them every step of the way to ensure they did not violate any ordinances of state law with procurement. She said everything was open and above board and Mr. Griles advised them what needed to be done and all this information was shared with Town Council members. She said that it appears that much of the information that is missing is not because the Taskforce did not provide it, because it was available. She said

that Town staff has been tremendous and has spent a great deal of time on this.

Ms. Whitley asked if it is possible to obtain a quote from the Comprehensive Plan consultants before this decision is made.

Mr. DeMoura responded in the affirmative.

Mayor Haynie stated that there is a motion on the floor to approve and if there is a willingness to explore the other option to see what money can be saved, would there be an amended motion.

Ms. Woods-Flowers stated that according to Mr. Griles, this is the figure that is required.

Mr. Brimmer stated that in addition, he would like to identify a funding source in order to let the public know what impact it may have on the budget.

Mayor Haynie asked if this would mean a deferral of this motion while we explore those two items; (1) what it would cost to have the Comprehensive Plan consultants conduct this study; and (2) to identify the funding source.

Mr. O'Rourke stated that one of the reasons he wanted this to come to the Finance Committee was because this has dragged on for so long for the Taskforce who have all worked so hard. He thought it was fair to provide them with a response; whether approved or denied. He suggested calling for the vote and if it is not approved, then there could be another motion for other action. He said in his opinion, another delay for this Taskforce is not a good sign.

Ms. Landing stated that she disagrees with this, and it is not because she does not support this for Shem Creek, but because this was just brought to Council last week for the first time and now there are questions on the funding source. She said if a maritime specialist is what the Town needs, then this is what should be done. She said there are too many unanswered

questions about how we are going to fund this. She said if it has been two years, what is another thirty days if that is what it takes to find additional information.

Mr. Santos, Mr. Cunnane, Ms. Landing, Mr. O'Rourke and Mr. Owens were in favor.

Ms. Whitley, Mr. Brimmer, Mr. Bustos, and Mayor Haynie were opposed.

Motion to approve carries 5-4.

Mayor Haynie stated that now Council will need to know what the funding source is.

Mr. O'Rourke made a motion that the \$125,000 come from the Unappropriated General Fund Balance; seconded by Mr. Santos.

Mr. Santos, Mr. Cunnane, Ms. Landing, Mr. O'Rourke and Mr. Owens were in favor.

Ms. Whitley, Mr. Brimmer, Mr. Bustos, and Mayor Haynie were opposed.

Motion to approve carries 5-4.

Mayor Haynie asked what happens next.

Mr. DeMoura stated that he is not sure when the bids expire, so the Town must first approach the consultant to see if the lowest qualified bidder is willing to honor that quote. If they are, staff will move to get a contract executed. He said because it is above \$100,000 it will need to go through the Bids & Purchases Committee in November and upon approval by Committee, he will be authorized to execute the contract.

2. Consideration of Approval to Amend the Policy Regarding Requests for Public Records Under the Freedom of Information Act Fee Schedule (See Ordinance under Council New Business Item XI.A.3)

Mr. O'Rourke stated that the Finance staff did a tremendous job with coming up with what is a fair fee schedule, but it was also

appropriate that the Town was not losing money on these requests.

3. Consideration of Amendment to the Human Resource Guidelines' Section 6.2 Business Trips (See Resolution under Council New Business Item XI.A.4)
4. Report

F. [Fire Committee](#)

Mr. Brimmer stated that Fire Chief Mixon delivered a presentation that addressed trends in first responder mental health. Chief Mixon also provided an explanation of the mental health support that is currently offered and future initiatives that will take place.

Chief Mixon also provided a presentation outlining the current readiness of ladder trucks in Mount Pleasant. Chief Mixon reviewed the existing fleet, location of stations and current initiatives to improve firefighting efficiency.

1. Recommendation to accept the 2017 Assistance to Firefighters Grant

Mr. Brimmer stated that the Town has been awarded the Assistance to Firefighters grant in the amount of \$220,946. The Town's ten percent match is budgeted. The grant will provide for the replacement of self-contained breathing apparatus (SCBA), which is over ten years old.

Mr. Brimmer moved to accept the 2017 Assistance to Firefighters grant in the amount of \$229,946; seconded by Mr. Owens. All present voted in favor.

Mr. Cunnane stated that last month and this month, the Fire Department did engine readiness and ladder readiness and there are a number of interesting slides in Council's packet that discuss the actual conditions and response times and the holes in the Fire Department's response capability here in the Town. He urged all Town Council members to look at this data closely

and if there are questions, to please see Chief Mixon or Fire Committee members.

G. [Human Resources](#) (No Meeting)

Report

H. Patriots Point Development Authority

Mayor Haynie stated that he has a lengthy report that was emailed to Council last week, including as an attachment, the meeting he had with Mr. Joe Daniels and others. He said it discusses what happened at the Board Retreat on August 17th and 18th, as well as the September meeting. He said one point he would like to clear up is that the meeting of the Patriots Point Development Authority for September, was the day after the Board of the Medal of Honor Museum Foundation voted to instruct their staff to design the process of looking at other locations. He stated that the Patriots Point Board meeting was Friday, September 21st and Mr. Daniels advised that their board's vote and initial decision, which set up their other vote to seek other locations was Thursday, September 20th. He stated that it was not a cause and effect and he would appreciate it if Council members would help clear this up. He said the next Patriots Point Development Board meeting is on October 19th if anyone would like to attend, which is a public meeting and open to the public.

Mr. Cunnane stated that he understands the timeline of September 20th and 21st. He stated that when Mayor Haynie was one of the "no" votes against the Medal of Honor Museum today, he asked if Mayor Haynie was aware of what the MOH's position was from the day prior.

Mayor Haynie responded in the negative.

I. [Planning Committee](#)

Mr. Bustos stated that the Committee discussed the multi-party effort to realign the Patriots Point Boulevard Realignment roadway.

He stated that the question about the financial commitment by the Town, the time and transfer of funds, and related aspects were answered by staff.

Mr. Bustos stated that regarding the Comprehensive Plan update, the Planning staff noted that the first full draft of the document was the subject of a very good discussion at the Plan Forum meeting on September 6, 2018. Another Plan Forum meeting to continue review of the plan is scheduled for October 16th with an emphasis on transportation and transit goals and recommendations.

He stated that staff reviewed the major “Community Issues” which set the oval tone of the plan:

- Boulevards Overlay
- Housing Diversity & Affordability
- Settlement Communities
- The Cultural Core
- The “Mount Pleasant Way” network for pedestrians and bicyclists
- Community Financial Health & Resilience
- The Open Space Network

Mr. Bustos stated that a short summary of the various recommendations for action which are contained in the draft plan were also shared. Staff stated that once the Forum is through its review, the plan would move ahead to the Planning Commission and would also be the subject of another public open house. He stated that they also discussed permit allocation and short-term rentals and will attempt to finish this by the end of the year. Lastly, he asked staff to look to Rifle Range Road from Hamlin to Porchers Bluff Road and somehow designate this as a scenic road. He said this will be addressed next month (November).

J. [Police, Judicial & Legal Committee](#) (No Meeting)

Mayor Haynie stated that in September, there was some discussion regarding traffic concerns at Long Point Road in Hobcaw Creek Plantation and Hidden Cove where there will be increased enforcement efforts. He said the Committee then adjourned into Executive Session to discuss an update of the Brock vs. Town of Mount Pleasant lawsuit.

K. [Public Services Committee](#)

1. Approval of Resolution to Address Flooding and Draining Infrastructure in the Town of Mount Pleasant (See Council New Business Item XI.A.1)
2. Approval to amend Chapter 53: Environmentally Acceptable Packaging and Products to remove Section 53.04(b): All Food Providers may give straws, lids, cutlery, and to-go condiment packages upon request of the customer. (See Council New Business Item XI.A.2)
3. Report

Mr. Owens stated that the Committee approved the minutes from the August 8, 2018 meeting.

Mr. Owens stated that Mr. Peele recognized Ms. Karen Pinckney for 15 years of service to the Town.

Mr. Owens stated that there were three topics of discussion during the meeting:

The first topic was a presentation by the Fix Flooding First organization, which asked the Town to adopt a resolution asking the county to address flooding and drainage infrastructure utilizing the Counties ½ cent sales tax. This will be addressed during Council New Business as Item XI.A.1.

The second presentation was given by Thomas and Hutton and provided an update regarding the design of the Edwards Park and Royall Drainage Basins as part of the Old Village Drainage Assessment.

The final topic discussed was the consideration of amending Chapter 53: Environmentally Acceptable Packaging and Products to remove section 53.04(b) "All Food providers may give straws, lids, cutlery, and to-go condiment packages upon request of the customer." This will be addressed during Council New Business as Item XI.A.2.

L. [Recreation Committee](#)

The Committee was given a presentation of a Special Olympics fundraiser called Nothing But Net. The event will be a 24-hour Free Throw Marathon to benefit Special Olympics to be held May 18-19, 2019 in the Town Hall Gymnasium.

The Committee was given a presentation of Carolina Park Phase 3 cost analysis with turf fields. The Committee asked for staff to brief them next month on the different options for Phase 3 within the \$3.5 million budget, both with and without an artificial field.

The Committee was briefed on participation numbers for MPRD activities, Special Events held in September, and upcoming events.

M. [Transportation](#)

Report

N. [Waterworks Commission](#)

Mayor Haynie stated that with the storms, he has been sending Town staff the emails from MPW. He said at a time such as this, if the Town is ever asked the question as to why MPW is at a higher operation condition than we are, it is because they have all the pumps and need to keep the sewer and water running. He said today for example, they were moving up in their operations conditions, whereas the Town was not. He said this does not mean the Town is not just as prepared. He said the Water Commission has asked the MPW Commission for a joint meeting with this Council, because there is a policy about receiving sewer and water and applying for

annexation into the Town. He said they are receiving continued pressure and are even being sued.

Mr. O'Rourke said he does not know much about this. He asked if they could be briefed about this or read up on what this is regarding.

Mayor Haynie stated that he and Mr. Bustos are on the MPW Commission and they do attend the meetings. He said he will obtain all the information possible in order for Council to be more informed.

O. [Water Supply Committee](#) (No Meeting)

Report

X. ADMINISTRATOR'S REPORT

Historical Commission vacancy

XI. COUNCIL BUSINESS

A. New Business

- 1. Adoption:** A Resolution to address flooding and drainage infrastructure in the Town of Mount Pleasant. (R.18095)

Mr. Owens made a motion to adopt the resolution which addresses flooding and drainage in the Town of Mount Pleasant. This is in conjunction with the request from Charleston County Council allocating all available funds from the half-cent sales tax to finance these prioritized flooding and drainage projects; seconded by Mr. Cunnane.

Mayor Haynie asked if this would involve the Town sending funds that could be spent in Mount Pleasant to other places.

Mr. Owens responded in the negative. He stated that the Coastal Conservation League is promoting this throughout all municipalities and hopes to obtain enough correspondence from each municipality requesting that funds be allocated by the County additionally. He stated currently it is \$500,000 annually

that the County provides. However, if the Town is able to get more municipalities to participate, the Town is asking for additional funds.

Mr. Bustos asked if this is solely for the incorporated areas of Mount Pleasant.

Mr. Owens said that it is for all of Mount Pleasant. He said this is the County and it is part of the County's half-cent sales tax.

Mr. Bustos asked if the Town's request is just for the incorporated areas of Mount Pleasant.

Mr. Owens stated that he does not believe the Town is just asking for the incorporated areas of Mount Pleasant but asking for all of Mount Pleasant.

Mr. Bustos asked how the Town is able to ask for unincorporated areas, because it is the County's business.

Mr. Owens stated that the reason it is all of Mount Pleasant is because there may be donut holes that are in the County that are in close proximity to the Town of Mount Pleasant, which would be affected by the drainage that runs through those areas. He said it is for the drainage and flooding of Mount Pleasant.

Mr. Bustos stated that he believes this is a Trojan Horse.

Mr. O'Rourke stated that he believes it is a fair question, because we govern Mount Pleasant, not all of the large areas that are donut holes. He is cautious about the Town doing work outside of our jurisdictional boundaries.

Mayor Haynie stated that the way it is worded, it only says The Town of Mount Pleasant, so if we are voting, we are only voting for the Town.

Mr. Cunnane stated that he does not believe the water knows where the boundary is. He said if it addresses flooding, any solution is good for everyone.

Mr. Owens stated that Mr. Peele could likely address outfall that is within the incorporated areas of Mount Pleasant that fall in the County purview.

Mayor Haynie stated that he understands; however, this motion is only to adopt one for the Town.

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 to amend Section 53.04 of Chapter 53 of the Mount Pleasant Code of Ordinances pertaining to Environmentally Acceptable Packaging and Products by removing Subsection (B). (Ord. No.18077)

Mr. Owens stated that this is based on questions coming from vendors, pertaining to whether they may put items on the counter or anywhere else, asking or not asking for straws, which creates a level of confusion. He said the Town vendors are planning their orders for the next fiscal year and this eliminates any ambiguity that allows them to continue ordering these particular items, which was meant to be removed. He said removing this provision clears up that confusion and strengthens the Town's ordinance.

Mayor Haynie asked if this came out of Committee.

Mr. Owens responded in the affirmative.

Mayor Haynie stated that this does not require a second when coming out of Committee, and this is a motion to approve.

All present voted in favor.

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

Mr. Owens stated that he would also like to add on 53.06(C) the language:

The emergency hospital and medical supply and services procurement. In an emergency situation and for the immediate

preservation of public peace, health and safety or when a disposable straw is needed by customers due to medical and physical conditions and for whom flexible compostable paper straws are unsuitable.

Mr. Owens stated that this is being brought out by disability groups who have sought an exemption for those individuals requiring plastic straws for medical and dental needs. He said this would be a good opportunity for this to be included in the Town's ordinance which may be approved during second reading. He stated that he would like this to be added to the ordinance to be voted on at second reading.

3. **First Reading:** An Ordinance to amend the Policy regarding requests for Public Records under the Freedom of Information Act's Fee schedule. (Ord. No. 18087)

Mr. Brimmer moved to approve first reading; seconded by Ms. Whitley.

Mr. Brimmer stated that it is his understanding that this is an adjustment to the fees to cover the costs to the Town of providing this information upon FOIA requests. He said current fees do not cover the full cost of this activity, so this would be a way for the Town to ensure costs are covered.

Mr. Cunnane stated that he will not support this because he believes there are ways to charge less. He said having a document room where the public is able to research and download what they need should be considered. He said there are ways to do this with technology as well as other ways. He said the Town should look to agencies such as the Register of Deeds office, where there is a room in which you are able to do research. He believes the Town should begin looking in this direction given the technology available. He said the availability of public records is where the "rubber meets the road" on good government.

*Mr. Cunnane was opposed. All other present voted in favor.
Motion carries 8-1.*

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

4. **Adoption:** A Resolution to amend the Town of Mount Pleasant Human Resource Guidelines. (R.18101)

Mr. Owens moved for approval; seconded by Mr. Brimmer.

Mr. DeMoura stated that this was carried over from the last meeting. He said there were several revisions, and this cleans up the current guidelines.

All present voted in favor.

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

5. **First Reading:** An Ordinance relating to the recovery of collection costs as part of delinquent debts collected pursuant to the Setoff Debt Collection Act. (Ord. No. 18088)

Mr. DeMoura said State law allows the Department of Revenue to assist political subdivisions with collecting money that is owed to local governments. He said the Town utilizes the Municipal Association of South Carolina (MASC) to do this and have for a number of years. He said a new ordinance was required to be perfected and cleaned up in order to continue this effort.

Mr. Brimmer moved to approve; seconded by Ms. Whitley.

Mr. Brimmer stated that the Town contracts with the MASC to handle these accounts which increases the costs to our residents \$25 for this contract. He said he would like to suggest or recommend that this Council direct staff in the next year, to begin having this accomplished directly with the Department of Revenue instead of through the MASC contract. He said this will not increase revenue to the Town, but it will decrease the cost to the Town's citizens.

All present voted in favor.

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

6. **Adoption:** A Resolution authorizing the Municipal Association to act as Claimant Agency for the collection of debt on behalf of the Town of Mount Pleasant in accordance with the Setoff Debt Collection Act. (R.18012)

Ms. Whitley moved to approve; seconded by Mr. Brimmer.

Mr. Brimmer stated that this is for the current year and hopes this will change next year.

All present voted in favor.

Mayor Haynie stated that he believes there is a scrivener's error and the Ordinance number should read 18102.

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

7. Discussion and possible action regarding the Medal of Honor Museum

[This item was moved on the agenda and discussed]

8. Discussion and possible action regarding potential violation of the Mount Pleasant Code of Conduct for Elected and Appointed Officials.

Mayor Haynie stated that this should be handled with grace and class. He said the Town has a Code of Conduct and Council has never imposed this. He stated that he will make a motion from the Chair.

Mayor Haynie moved to request Mr. Cunnane, Mr. Owens and Mr. Santos as the primary authors of this Code of Conduct to meet privately, decide if it applies and decide what action should be taken. He said he would like this accomplished with grace and class and to turn a negative into a positive.

Mayor Haynie stated that if he were the individual that was the subject of this, he would want the opportunity to make it right, which he believes Mr. Cunnane has already done publicly. He

said this way, Council handles this without the public wondering what Council is going to do about it. He said he has no prescribed outcome for this. He said when reading the Code of Conduct, it does not indicate how ethics conduct issues are handled.

Ms. Landing seconded the motion.

Mr. Santos stated that he would like to point out that Councilman Cunnane did not sign the Code of Conduct; therefore, he is not bound by it and did not know it existed when he was elected. He said he was elected during a special election and was not aware. He stated that if Mr. Cunnane does sign it now, then he is bound by it. He said Councilmember Cunnane did not violate the Code of Conduct because he never signed it.

Mr. O'Rourke stated that he does not know what we are handling at this time. He is not in favor of doing anything with this and thinks Council should turn the page and move forward. He said he wished that it was not even on the agenda. He said in the meantime, Council needs to clear up in the Code of Conduct, which he signed, what the procedure is. He said that it also states in the Code of Conduct "repeated acts" and we are not there with this. He is not opposed to re-reviewing and when someone crosses the line, what is the procedure. However, if we all arbitrarily do ridiculous things he hopes that we are not going to have a moral discussion about who is more ethical than who. He is not condoning anything, but by the same token, he is not going to judge anyone either.

Mr. Santos stated that there are actions that can be taken to members that violate this and whatever is not covered in the Code of Conduct is covered in Roberts Rules of Order.

Mr. O'Rourke asked if there is a procedure that outlines what can be done on this issue.

Mr. Santos responded in the affirmative and added that there is also Roberts Rules of Order.

Mr. Owens added that there is also the State Ethics.

Mr. Santos stated that Mr. Cunnane did not have the opportunity to sign the Code of Conduct, because he was unaware it existed.

Ms. Whitley asked if all other Council members have signed the Code of Conduct with the exception of Mr. Cunnane.

Mr. Santos stated that he believes Mr. Bustos has also not signed the Code of Ethics.

Mr. Bustos stated that he did not sign the Code of Conduct because at the time it was offered, it was nothing but political showmanship that could cause things to turn political just as they have. He said this is a perfect example and it is not worth the paper it is written on. He said it made good press, but was worthless. He believes that this document should be done away with, because it is worthless. He stated that we have State Ethics and Law, but we do not need to have a Code of Conduct. He believes it is pointless.

Mr. Santos stated that he understands Mr. Bustos' point. He stated that Mr. Bustos voted against it. He said when he went to the Legal staff to draft it, it was not aimed at anyone on Council. He simply thought it would be a good idea to have a Code of Conduct in the event something happened. He said other governments have it and if you do not have a fear of it, then there is no reason not to sign it. He said they did a great deal of work and fine-tuned it and Mr. Owens also contributed a great deal of work on the document. He said everyone had an opportunity to be a part of this document.

Mr. Bustos suggested using this document.

Mr. Santos stated that it cannot be used if it is not signed.

Mr. Owens stated that the Code of Conduct is a voluntary document that is self-governing. He asked who submitted this agenda item.

Mayor Haynie stated that he did, because he is the only person (other than Mr. Cunnane), who has made an official public statement regarding this to the media. He said Council, with the Code of Conduct has not spoken. His sole desire was for Council to speak in a way similar to which he saw Councilman Cunnane speak to the media stating that it was regrettable and is not the way he conducts business. He said he thought it would be a good thing for this Council to do.

Mr. Owens stated that he brings this up because on September 6, 2018 Councilman Cunnane submitted to all of Council a letter of apology for using inappropriate language. He stated Mayor Haynie's response was thanking Mr. Cunnane and that he appreciated letting Council know and hopes this unfortunate matter is now settled. He said it continues when we address this internally and legally and would have hoped that Council would have involved the Legal department to determine whether or not there were any inappropriate legal aspects that occurred. He said this is certainly something that could have been accomplished internally without the potential of embarrassment. However, he would like to submit an email that was received and submitted as part of the record today to solidify that Councilman Cunnane did perform what he promised, and it was accepted on behalf of Mayor Haynie. He is of the mindset that "he without sin, cast the first stone". He said regardless of what the actions were, he can forgive. He said we can learn from this and move on and hopes this is what Council does.

Re: News story

MH Mayor Will Haynie
Thu 9/6, 3:07 PM
Kevin Cunnane; All Council

👤 ⚙️ Reply all | ▼

Thank you Kevin. I appreciate you letting us know of your apology and I hope this unfortunate matter is now settled.

Will Haynie
Mayor, Town of Mount Pleasant
(843) 872-4455

Sent from my iPhone

On Sep 6, 2018, at 2:51 PM, Kevin Cunnane <KCunnane@tompsc.com> wrote:

Fellow Councilmembers:

I have apologized for using some very inappropriate language in a personal message on a private communication channel. This was publicly released by the individual and I wanted to let you all know that I also apologize for any negative consequences that my language could bring upon the council.

I regret having been dragged down to that level in a heated conversation relating to an emotional topic that is particularly acute for me this time of year.

If anyone has any further questions please feel free to call me on the phone.

Kevin M. Cunnane
Town Councilmember
[100 Ann Edwards Lane](https://www.tompsc.com)
[Mount Pleasant, SC 29464](https://www.tompsc.com)
kcunnane@tompsc.com
843-518-1469
www.tompsc.com

Mayor Haynie stated that he agrees, and he will amend his motion:

As Council we adopt what Councilman Cunnane sent to all of Council, as how we handle this and applied it to our Code of Conduct that this is the way we would operate and take

responsibility when errors are made. He said the public has a right to know if Council, in effect, did something, because he does not feel he should be the only one speaking for this.

Ms. Landing amended her second.

Mr. Cunnane stated that as many know, he has issued a very personal and heartfelt public apology. He said while many have forgiven him, he understands some have not and no matter what he says, they will not. He believes it is important for him to say that he has not and will not apologize for defending himself from the type of petty gutter politics that led to this incident. However, he has and will continue to apologize for this thoughtless poor choice of words, used against a gentleman in a private conversation. He said they have both apologized to one another and agreed to put it behind them. He said bringing his 9/11 service into question was out of line and was the reason that conversation took the turn that it did. He stated that he is not over 9/11 and will never be over it. He believes that the vast majority of people in Mount Pleasant would agree that the tone of the questioning of his service was simply wrong and attempting to bring 9/11 into the conversation at all during the anniversary week of the attack was totally unacceptable, as was his response. He again promises to hold himself to a higher standard of language going forward but can assure the public that he will not remain silent if someone questions his record of service in a mean-spirited manner. He asked what provision is being referred to in the Code of Conduct that he is being subjected to or spoken about, because it is not clear that a private conversation is covered by it.

Mayor Haynie stated that Mr. Cunnane is apparently not clear, because he did not sign the Code of Conduct, so it does not matter.

Mr. Cunnane stated that the Code of Conduct still does not cover this even if he did sign it, because there is nothing about private conversations.

Mayor Haynie stated that the motion was simply to adopt Mr. Cunnane's email to Council as an acceptance of Council to say that this is how we end this matter.

Ms. Whitley, Ms. Landing and Mayor Haynie were in favor; Mr. O'Rourke, Mr. Owens and Mr. Santos were opposed. Mr. Brimmer, Mr. Bustos and Mr. Cunnane abstained.

Motion to approve fails with a 3-3-3 vote.

9. Discussion of Wando Shrimp Dock Property and possible Town role

Mayor Haynie stated that he has a file for Mr. O'Rourke with confidential information from the purchaser who is in the process of purchasing the Wando Shrimp Docks. He stated that the Town has an opportunity to act. He said as Council heard when addressing the Shem Creek Taskforce item, inaction is the enemy and the window is closing on this item. He said he would like for Mr. O'Rourke as the Finance Committee Chairman to review this item with his vast experience in this area when running the Charleston County Parks and Recreation. He stated that this will be required to be heard at the Finance Committee in November; however, Catherine Main from the East Cooper Land Trust is present. He said the window is closing for the grant opportunities for a purchased easement on this property. He stated that he would also like for Ms. Main to advise Council and the public why putting easements on properties that are purchased are accomplished. *(Mr. Bustos departed at 10:33 pm)*. Mayor Haynie said if part of the reason for the vote earlier in the amount of \$175,000 was to preserve Shem Creek, the Council also has the last large working shrimp dock area that is for sale and the potential buyer is willing to work with Council over time. He said Council needs to decide if they would like to do this, what the funding source would be, as well as the conditions. He said other than this, there is nothing to discuss or vote on.

Catherine Main, East Cooper Land Trust, stated that she would like to encourage Council to look at this in a timely manner. She stated that there are several grant opportunities that ECLT has where they could partner with the Town and allow the Town to have ownership in the land but have permanent conservation easement on it that would protect the seafood industry forever. She said if they do not move quickly with the grant opportunities that could be upwards of approximately \$2 million dollars, they will lose these opportunities. She would like to encourage Council to move quickly.

Mayor Haynie asked if there were other federal sources of funding that may possibly afford the Town the ability to receive their funding back, for working waterfronts and what Ms. Main was talking about doing in McClellanville.

Ms. Main stated that the Department of Transportation has a BUILD (Better Utilizing Investments to Leverage Development) grant and it is possible that this property under the Town ownership could be eligible. It is a \$5 million dollar minimum with a \$5 million-dollar match; however, she believes the Town has an opportunity. She said they are also looking at properties in McClellanville at the working waterfront and if they combine this project with some of the projects they are doing in McClellanville, she believes they may be able to come up with the \$5 million dollar match needed to get another \$5 million dollars which they can apply for from the Department of Transportation to use for infrastructure improvements, facility improvements or dock improvements that may be needed on the property.

B. Old Business

1. **Final Reading:** An Ordinance to amend Chapter 154: Development Impact Fees, of the Town of Mount Pleasant Code of Ordinances. (Ord. No. 18068)

(Mr. Bustos returned at 10:36 p.m.)

Mr. Brimmer moved to approve; 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.

2. **Final Reading:** An Ordinance to amend Chapter 112: Towing or Wrecker Services of Mount Pleasant Code of Ordinances. (Ord. No. 18069)

Mr. Brimmer moved for final reading; seconded by Mr. Bustos. All present voted in favor.

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

3. **Final Reading:** An Ordinance amending Title IX (General Regulations) by adding a new Chapter 98 Titled Prevention of Discrimination in the Rental or Sale of Housing. (Ord. No. 18044)

Ms. Whitley moved for final reading of items #3 and #4; seconded by Mr. Brimmer. 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 amending Title IX (General Regulations) by adding a new Chapter 99 titled Equal Enjoyment and Privileges to Public Accommodations. (Ord. No. 18045)

[Approved with item #3]

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

C. Executive Session

Mr. Santos moved to adjourn into executive session; seconded by Ms. Landing. All present voted in favor.

Council adjourned into executive session at 10:39 p.m.

Council reconvened at 11:19 p.m.

Mayor Haynie declared that no action or votes were taken.

1. Legal and Contractual

- a. Legal update on Long Point Cooper v. Mount Pleasant Waterworks and Town of Mount Pleasant
- b. Consideration of settlement offer in Park West Development v. Town of Mount Pleasant

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

2. Personnel

- a. Consideration of applications to the Commercial Design Review Board

Mr. Brimmer moved to re-appoint William O'Neal and Mr. Brian Boan to the Commercial Design Review Board; seconded by Mr. Owens. All present voted in favor.

- b. Consideration of applications to the Accommodations Tax Advisory Committee

Mr. Bustos moved to appoint Shannon Hartman, Brumby McLeod and Vashal Patel to the Accommodations Tax Advisory Committee; seconded by Mr. Cunnane. All present voted in favor.

- c. Consideration of applications to the Planning Commission

Mr. Brimmer moved to re-appoint Joseph Wren to the Planning Commission; seconded by Mr. Owens. All present voted in favor.

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

XII. ADJOURN

There being no further business, meeting adjourned at 11:20 p.m.

Respectfully submitted

Barbara Ashe

October 9, 2018