

MOUNT PLEASANT TOWN COUNCIL

TOWN COUNCIL MEETING

Tuesday, February 12, 2019, 6:00 p.m.

Municipal Complex, Council Chambers

100 Ann Edwards Lane

Mount Pleasant, SC 29464

MINUTES

Mayor Haynie called the Town Council Meeting to order at 6:00 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

Rabbi Revson led Council in prayer.

II. PLEDGE

Webelo's Cub Scouts, Troop 20, Mount Pleasant Presbyterian Church, 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. Cunnane stated that he would like to move Council New Business, Items XI.A.4 and 5 up on the agenda to an appropriate place earlier in the meeting for the sake of the people who showed up to discuss those items.

Mayor Haynie asked Mr. Cunnane if he was suggesting we move those items to become Items VIII.1 and 2 before Planning.

Mr. Cunnane responded in the affirmative; seconded by Mr. O'Rourke. All present voted in favor.

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

V. PUBLIC HEARINGS, AWARDS & PRESENTATIONS

A. Portrait Unveiling of Mayor Linda Page

Mayor Haynie and Town Council members unveiled former Mayor Linda Page's official portrait.

B. Public Hearing: A Public Hearing to receive input on a proposal to amend the Comprehensive Plan 2009 – 2019 (2014 Update) Future Land Use Map by changing the land use designation from Community Conservation to Commercial for an approximately 0.27 acre tract of land located at 1713 Halls Point Road, identified by TMS No. 558-00-00-893 and depicted as Lot B1A on a plat recorded by the Charleston County ROD Office in Plat Book DF, Page 877.

Tim Goodrich, 104 Bill Park Drive, Summerville, stated that he is here on behalf of the owners of 1713 Halls Pond. He stated that he would like to make a few statements regarding this property. He said they addressed some concerns and questions in Planning and wanted to go over those. He said they do not have plans for any intense commercial usage of the property. He said there is very limited disturbance to the area. He said their business activity is generally limited to just a few hours a day at most. There would be no increased traffic flow and they do not operate a retail operation. He said there are no customers that come to their location and they have been operating for 8 years at that location. He said the zoning request is consistent with neighboring properties that have already been welcomed into the Town. The Children's Discovery Center, St. Pierre Construction, Contractor Nail and Tool and Nash Orthodontics. He said they are also supported in their application by the two residential neighbors on the road. He said another question was the road itself. He believes it is considered a private egress and is a dirt road. He said they are finalizing an operating and

maintenance agreement with the current owner who is Paul Meyers, one of the residential neighbors he spoke about. He said they are in discussions with Mr. Meyers to purchase the road from Venning to their property line. He said there was an additional concern with Planning as this area was considered a preservation of a Settlement Community. He said the only structure on the road that predates the year 2000 has already been annexed into the Town with the commercial designation and additionally, the two families on that road have lived there for 20 and 9 years respectively with no family history or lineage in that area.

Mayor Haynie declared the public hearing closed.

- C. Public Hearing:** A Public Hearing to receive input on proposed fees related to the administrative review of Small Wireless Telecommunication Facilities (SWF's). The proposed fees are intended to cover the costs to review applications for Small Wireless Facilities to be located in the right-of-way of public streets and roads. Such fees are outlined in Section 156.127, Fees and Costs, or an ordinance to amend Chapter 156, Zoning Code, which adds an entirely new section for the regulation of this type of telecommunication facilities.

(No speakers)

Mayor Haynie declared the public hearing closed.

- D. Public Hearing:** A Public Hearing to receive input on the proposed, amended municipal budget for the 2019 fiscal year. The proposed changes are as follows:

<u>Proposed Amended FY 2019 Budget</u>	
General Fund	\$ 90,585,468
State Accommodations Tax Fund	1,896,646
Capital Fund	88,020,942
Debt Service Fund	8,285,739
Less Interfund Transfers	<u>(26,399,561)</u>
Total Proposed Amended Budget	\$ 162,389,234

Current Fiscal Year Revenue	Amended Revenue FY 2019	Percentage Change In Revenue	Current Fiscal Year Millage
\$158,091,718	\$162,389,234	2.72%	38.1 Mills (operating) 2.9 Mills (debt)
Current Fiscal Year Expenditures	Amended Expenditures FY 2019	Percentage Change In Expenditures	Amended Millage for 2018-2019
\$158,091,718	\$162,389,234	2.72%	38.1 Mills (operating) 2.9 Mills (debt)

One mill generates \$906,609 as based on the total estimated assessed value of all real and personal properties within the Town of Mount Pleasant. One mill equals \$1.00 per \$1,000 of assessed property value.

(No Speakers)

Mayor Haynie declared the public hearing closed.

E. Longevity Awards

Public Services Director, Jody Peele, Mayor Haynie and Town Council members honored **Kevin Nesbitt**, for serving 20 years with the Town of Mount Pleasant’s Public Services Department.

F. Cresco Award Presentation by the Mount Pleasant Historical Commission

Planning Director, Jeff Ulma introduced Kate Dolan, Town staff liaison for the Mount Pleasant Historical Commission. Ms. Dolan introduced Commission Chairman, Rick Gutowski and members, Lonnie Ray Doles, Jr., Alicia Davenport and former member, Robert Macdonald. Ms. Dolan, Commission Members, joined by Mayor Haynie and Town Council members recognized the **Alhambra Garden Club** as the 2018 recipient of the Cresco Historical Stewardship Award for preserving and protecting for the past 47 years, Patjens Post Office, the Town’s first free standing post office. The Alhambra Garden Club is chaired by Mrs. Minnie Mayberry. Mr. DeMoura read the proclamation.

VI. APPROVAL OF MINUTES FROM THE JANUARY 8, 2019 TOWN COUNCIL MEETING AND THE JANUARY 2019 FINANCIAL STATEMENT.

Mayor Haynie moved to amend the January 8, 2019 minutes where he is giving the Patriots Point Development Authority Report, where it stated that he missed the meeting on December 7, 2018. He stated that he was at the meeting, but it was the following Tuesday that he was diagnosed with bronchitis, so he missed the Town Council meeting. He said since there is a record of both of those, he did not want there to be a conflict, so he must move for an amendment to the minutes; seconded by Mr. Santos. All present voted in favor of the amendment.

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

VII. CORRESPONDENCE AND PUBLIC STATEMENTS

Melissa Moore, 708 Harbor Lane, stated that she is with Housing for All Mount Pleasant. She thanked Town Council for the seed funds they invested in Housing for All Mount Pleasant last year which allowed them to retain a Director of Operations, which is her title, a Director of Development to spearhead their efforts. She said she would like to communicate some of the successes they have had since last year. She said the non-profit is three months old and she is one month into the job and they are already in the early stages of organizing an attainable housing partnership with a developer and builder that will produce homes well below market rate and is completely tied to the Attainable Housing goals. She said the details of the partnership and how the program will work are still being developed. She said they would ideally like to see a project underway in 2020 and they are also in conversations with another developer about a potential second housing development project. Housing for All Mount Pleasant only received their IRS designation in November of 2018 and she believes they have done a lot in a very short amount of time. She said this early step has allowed them to develop the program and strategic plan, pursue partnerships and establish a viable operation for the long term. They partnered with local groups, including Donatetoit.com which allowed them to raise \$4,230 and donations are now possible through their website at

Housingforallmtp.com and the money from last year lays the foundation that has gotten them to this point and will take them to where they want to go. She said if anyone is interested in finding out more or getting involved in their efforts, she has a signup sheet and will be sitting up front.

Walter Brown, III, 437 Venning Street, stated that he is present to represent 160 citizens, business owners and Mount Pleasant Waterworks customers who have expressed an interest in restoring the water tower under its current use. They believe this recommendation is the most cost effective solution to a monopole construction with no interruption in cell service. He provided correspondence to Council members and on the last page, he would like to mention one number. \$475,000. He said there is \$600,000 on the table for demolition as well as the construction of a monopole. He said this leaves a balance of \$125,000 which is definitely a cost savings. He said a few points of interest are: 4 to 6 months of restoration timeframe and this information has been compiled from six companies, two of which are listed on the information that he has submitted to Council. The lattice iron work is ironwork from WWI, some of the best steel made in America. He said they also have a new coatings technology which is similar to vinyl siding, which would seal the tank to prevent further corrosion. During a hurricane, the utilities and first responders utilize satellite phones and radio; they do not use cellular phones. Lastly, First Net, which has been spoken about a great deal, is a technology already available with the antennas that are currently on the tower. He said this information has been compiled from the Isle of Palms Waterworks Department, Charleston Water Systems, Folly Beach, and contractors from the United States to New Zealand, as well as the Charlotte Police Department. He said that whatever is true and noble, is right and pure and is lovely and admirable. If anything is excellent or praiseworthy, think about such things. Whatever you have learned or received or heard from me or seen in me put into practice and the God of Peace will be with you.

David Shimp, 1551 Ben Sawyer Blvd, stated that he attended the Planning Commission two weeks ago to hear the agenda item regarding the revised Comprehensive Plan. He anticipates that Council will be receiving the formal report in a month or two, but he wanted to pass on some observations. He said discussion of the draft seemed to him to be a really big group hug for the Planning Commission with their cracker-jack consultants and the Citizens Advisory Group. He said he just did not sense that any of them really appreciated the underlying message of the last two Town elections. That message was about responsible development, of course, but more fundamentally, it was about sequencing and infrastructure before development. He said the 400+ pages of the draft Comprehensive Plan are largely about how to develop, not about protecting the Town from overdevelopment. He doubts that the thoughts that he provided the Planning Commission gained any traction, so he would like to ask Council to consider inserting a preamble when the draft comes before Council; a citizens Bill of Rights, if you will. This fundamental overarching stipulation would require that infrastructure be in place before development occurs. Not only a promise, such as Chapter 4 of the draft that contains a whole lot of hopes and dreams for adequate mobility and transportation sometime in the future. Even though some aspects of infrastructure are beyond the Town's control, if the Town does not have adequate roads, if they do not have adequate water, if they do not have adequate schools, etc., then you do not pass "go" and you do not collect a permit. He said this would require development to be a part of the solution and cause developers to use their influence to make sure sufficient infrastructure is in place before they burden the Town with the impact of overdevelopment.

Lisa Turansky, 1065 Groves Manor Court, stated that she distributed some paperwork to Council regarding the half-cent sales tax and wanted everyone here, both on Town Council and those in attendance, to know that Charleston County Council is considering, right now, using \$3 million dollars of the half-cent sales tax that passed in 2016 on a project that was not listed in the ordinance to be funded by the sales tax. She said not only is she concerned about this, as well as the Coastal

Conservation League, but she just received 40 emails from residents who are also concerned about this. She was going to use her talking points but then she received a wonderful email that she will read.

My wife and I agree that Charleston County is going rogue with our tax dollars when they are arbitrarily moving money from a tax fund to a project that was not approved by an ordinance and it sets a dangerous precedent. Many of you know that Highway 41 was one of those projects listed in the half-cent sales tax, but there are other projects. There is rural road funding, there is resurfacing, there are annual allocations, and all of this money, Carta, transit, all of this money is at risk, because the projects that were in the ordinance add up to \$2.1 Billion dollars which is what the tax is for. The math is in front of you. I put my business card on there, because I want you to reach out to me and I will be reaching out to you all to get to know those few that I do not know well and to check in with those of you who I do.

Ms. Turansky said that they want to be a resource and are scared about the precedent that this sets with Charleston County. She thanked Council for their work on this and looks forward to support Council in showing leadership.

Pat Sullivan, 1002 Plantation Court, stated that she would like to discuss Affordable Housing. She said this was something discussed at great length in the Comprehensive Plan Committee that she was on and there were a few items that they decided were important enough that as we were wrapping up, they wanted the whole Committee to discuss them and get everything out. She said she was honestly flabbergasted at almost the whole room, everyone was saying that we really need affordable housing and it is a huge thing for the Town. She said the comment was made that there was a Task Force and the Task Force has now turned into a non-profit, so the Town is no longer involved. She said this turned into another conversation which was that they wanted the Town to be very proactive in creating and making available affordable housing. She wanted to let Council know. She knows this was discussed at the Finance Committee meeting and is not sure what the

decision was, but she would really like to see the Town proactively involved in making affordable housing available for our citizens.

Kristen White, 312 Bridgetown Pass, stated that this is off of the Long Point Road Corridor and their neighborhoods have the unique opportunity that our students will be able to ride bikes and walk to the new Lucy Beckham High school. She said it will be completed in the fall of 2020. She is asking simply for Mayor Haynie and Town Council to please help them insure safety measure to be put in place for those high school students. She stated that they want safe pedestrian and bike access to the high school. She said it is on the former campus of Wando, so there have been students walking and biking in the past, but as time goes on, they are looking at crosswalk improvements or additions, as needed; traffic patterns to be considered; signals to be adjusted to best help the students and even a special entrance that is separate where student drivers may turn in. She said this was not made available at the last meeting with Charleston County and had not been planned for yet. She said they would love for that to be part of the plans, ultimately. She said this will be for the Whipple Road, Mathis Ferry and Long Point areas. She said they are unique in their proximity to that school and the opportunity for their kids and are grateful for Council's communication with the District 2 School Board, as they go through this zoning process. They would love to know that the safety measures taken are being conveyed to them, so they know that it is a very viable option for the students to get to school. She thinks it is a win-win for everyone in Town, as they can take vehicles off the road. She thanked Council for their interests and is very hopeful for this unique and special opportunity for their high schoolers to ride their bikes to school

George Freeman, 1450 Bowman Road, stated that he is the Director of Community Activities for CAGE (Community Action Group for Encouragement), stated that Mr. Jefferson is distributing a map to Council. He stated that he spoke before the Transportation Committee about the Gregorie Ferry/Highway 17 connection. He said currently while they were looking at Highway 41 and the different options for Highway 41, he is here to speak on behalf of the CAGE organization that

they would prefer if Council would look at instead of making the Gregorie Ferry Road connection to US 17 a two-lane road, to make it a four-lane road where it would become the new Highway 41 connection and traffic would have a great access to Billy Swails Boulevard. He said when Hungryneck Boulevard was first conceived, the purpose for it was to relieve traffic off of Highway 17. When the two-lane connection was suggested from Gregorie Ferry Road to Highway 41 to US 17, the reason for it was to get traffic to Billy Swails Boulevard. He said making this the new Highway 41 would ensure that this traffic would take that route and provide another access for traffic off of Highway 17.

William Hamilton, 32 Sowell Street, Executive Director of Best Friends of Public Transit, stated that he comes to advise the Town that their leadership has been heard and seen across the state. He said the Town's decision years ago to begin requiring developers to build bus stops is not reflected in a proposed piece of legislation to make this possible across the entire State of South Carolina. He said the Town's leadership was this very morning admired in the Town of Summerville where they said, "wow, Mount Pleasant has everything". He said there are also four other bills pending; one of them is for transit oriented development which may or may not be available here, but perhaps in the future. This would make it possible to create affordable housing. He said there are affordable housing units in Lincolnton, South Carolina right now for elderly people sitting empty because it is simply impossible for those people to live there because there is no transit anywhere nearby to take them to the grocery store or the doctor. He said we have places people would be living now and have people living under bridges because there is no way that they can connect to anything else, but where they live. These five bills will improve this and encourages everyone present here to contact their representative and ask them to sign on as a co-sponsor. He said a lot of the ideas behind these bills originated in this Town. Second, he would like to warn everyone present in this room of the enormous hazard of what is happening in County Council tonight. It would be exceptionally easy to create a contract with the State of South Carolina which obligates generally all of the financial capacity of County government to the construction of I-526. He said when those inevitable

cost overruns appear, they will turn around and say, “too bad, so sad, we have to take the transit money, or we have to take the money for Highway 41”. He said that we cannot allow a bottomless pit to be plugged into the money to build a road this Town wants and the transit this region needs. He said we (the Town of Mount Pleasant), contribute 40% of the sales tax in this County and we should not be set up to be robbed.

Louis Jefferson, 1128 McKnight Road, Vice President of CAGE, stated that Mr. Freeman is passing out a document that Council should be familiar with. He said there are nine concerns that they have within the overlay district and the settlement communities. He would like to highlight one. Needless to say, they are all critical to them, but they are asking if Council would consider a cease and desist on issuing permits for ADU’s in the settlement communities until such time that the Comprehensive Plan is completed and will perhaps go forth at that time.

Catherine Main, 1968 Oak Tree Lane, Executive Director of the East Cooper Land Trust, said that we are a community supporting organization to protect the natural, scenic and cultural assets that we have in our community. She said on behalf of the East Cooper Land Trust they have received a great deal of information from people very concerned about the seafood industry and the character that this has in our community. She said they are working very hard to protect that. She said some Council members actually had some of those same goals in your campaign for Council. She does hope that they will listen this evening to her and the point that she has to make seriously, because the seafood industry is really being threatened on Shem Creek. Several months ago, we began looking at one of the Wando Dock properties and unfortunately, last week, we lost an opportunity to get almost \$1 million dollars that could have gone towards the protection of that property. That was funding from the South Carolina Conservation Bank and it will be several years before that funding opportunity will be available to them again. She said fortunately, we still have a chance to get funding through the Charleston County Greenbelt Program, but she

needs the Town's permission in order to apply for that funding. She said just because they apply, does not mean that we have to use the money and can always turn it down. However, we cannot get the money if they do not get their application in. She understands that the Wando Dock project is very complicated, so she has a fallback plan. She has also been working with the landowner of the Geechee Dock and he is very willing to work with them on a protected conservation easement. She said this would not cost anything to the Town of Mount Pleasant, if the Town would just allow them to apply for the Greenbelt Funding. She asked Council to please consider giving them the opportunity to apply. She said she would need an answer by February 22nd which is only ten days from today.

Stephanie Kelly, 1536 Privateer Drive, stated that she is here tonight as a concerned citizen. She agrees with the Summerville's Council mindset that we have everything in Mount Pleasant. She said we also have poverty and we do not have affordable housing to help those individuals. She is here this evening as the Executive Director of ECCO (East Cooper Community Outreach), and they are in their 30th year of providing services to families in financial distress. Services that include basic needs of food, clothing and financial assistance. Health services that include free medical and dental care and empowerment programs that help people gain the knowledge and skills that they need to become financially stable. She said during the last fiscal year, they served over 2,000 households with all of these different programs. She said that they are helping people who have grown up in generational property and are seeing more and more people who are experiencing situational poverty. She said their staff and volunteers are proud of all the services that they offer in-house. However, they also have dozens of partnerships with agencies where they can send people when they have problems that they are unable to help solve. She said, by far, the number one problem for which there is no local resource in order to help our neighbors in need is the issue of housing. She stated that she can assure Council that the lack of attainable and affordable housing in this community is a deterrent for our working families who are trying to reach a state of financial stability. She added that they have clients who

are living in their cars so that their children can continue to attend the same schools after a divorce, a death of a primary breadwinner or a sudden job loss. She said there are senior citizens who have lived here all their lives who have to choose sometimes between food and medicine, because they can barely afford to keep a roof over their head. She is confident that this community can do better for all of its residents and thanks Council in advance for being a part of the solution to making attainable housing a reality in Mount Pleasant.

Louise Brown, Sparks Street, stated that she is very concerned about poor housing. She said there are not affordable homes in Mount Pleasant for people like Firefighters, Teachers, Food and Beverage workers. She said we do not have a place for them and no affordable homes. She said a husband and wife have to live with their parents and grandparents, because there are no affordable houses. She said Council may say it is not important, but it is. She said it is important because they are now in the present and what are our futures going to look like for our children, grandchildren and great grandchildren. She said it is important that we think about affordable housing, not about people on welfare and food stamps. She said we are not talking about them. We are talking about single mothers, husbands and wives and single fathers that need housing. She said when Council thinks about this, think about what the future will mean for their children and your grandchildren. She said she begs Council to get affordable housing so everyone in Mount Pleasant can live comfortably.

VIII. PLANNING – Mr. Ulma

[Planning Committee Minutes](#)

[Planning Commission Minutes](#)

A. NEW BUSINESS

1. Consideration of an ordinance with regard to firefighter units and staffing. *(Previously Item XI.A.4)*

Mr. Cunnane stated that we went through a four month process at the Fire Committee of looking at different aspects of the Fire Department and while we all agree that firefighters to a fantastic

job, they put themselves out above and beyond. He said we noticed that the readiness of the actual department in terms of staffing, equipment and redundancy was really not where it needed to be, and maybe that is a tough thing to hear, but that came out as a result of four hard committees where the Fire leadership gave them reports on where we really are. He said the objective of him putting this on the agenda was to look forward and he is going to have four motions on how we can improve the fire department tonight, as a result of those four committee meetings and studies that have shown where we really are. He asked Council if they would like for him to make the four motions at once.

Mayor Haynie stated that to maintain the floor, he would have to make a motion.

Mr. Cunnane stated that his first motion is to direct legal staff to prepare an ordinance to bring to Fire Committee in March concerning minimum firefighter staffing and requiring prompt reporting to Council on all reductions to FD staffing or units. Ordinance to align with NFPA 1710 minimum staffing standards; seconded by Mr. Owens.

Mr. Santos stated that he appreciates this but thinks this may want to go to the Police, Legal and Judicial Committee, because he does not know anything about this and does not want to be voting on something that he has no information on. He said the information Mr. Cunnane provided earlier was right before he came in, so he did not get a chance to read it. He thinks these issues need to go to the Committee first and let them look at it and maybe there might be some other things that come out of it that will benefit the firemen as well. He said he would rather not vote on it right now. He said to send it to Committee and let's talk about it in Committee and then send it back to Council after we have all had a chance to vet it.

Mr. Cunnane stated that the purpose of this initial motion was to get the sense of Council - do we want to codify a staffing

standard and meet national standards, or do we just want to let it roll. He said further down he has a motion about the strategic plan which starts us in the right direction. He said that this would just – there have been a number of cities that have passed a simple page and a half ordinance to require four firefighters on an apparatus and maybe we cannot do it in the first year and sometimes it takes many years, but that is the objective - to head us in the proper direction – point the ship in the right direction, if you will. It is not all that controversial, it is pretty simple stuff. He could have brought the ordinance tonight, but he was told not to, to have Council opine first so then it ends up to be a three cycle process. He has no issue at all with it going to any other committee, but he has issues with it taking months and months on end. If another committee wants to look at it, we can try to schedule the Fire Committee early and then let any other committee look at it. He said he thinks some of these will require Finance to look at it as well. He has no problem with that.

Mr. O'Rourke stated that Mr. Santos said what he was going to say. He believes it is difficult as a Council to put an item on the agenda, have a motion, have a second and vote and never have the Fire Chief or his senior staff present to have an opportunity to answer questions. He would feel better as a member of the Fire Committee to have this back in the Committee, if possible.

Mr. Cunnane stated that this is exactly what the motion does.

Mr. Santos stated that Mr. Cunnane was a fireman and knows a lot of this stuff. He said he is not a fireman and does not have a clue what a lot of this stuff Mr. Cunnane is talking about. He understands that Mr. Cunnane knows a great deal more than the rest of Council, but they need to be able to understand it before we all vote on it. He asked if Mr. Cunnane is asking Legal to draft something now that the rest of Council does not have a clue as to what he is drafting. He said this is why he wants this to go to Committee so that Mr. Cunnane can explain it to

Committee members and questions can be asked and answered in order to come back to Council and know what they are all voting on.

Mr. Cunnane asked if Legal could opine on the length. He did share a sample ordinance that was rather simple and perhaps he could shed some light on the fact that it is not going to take months to do this. It is probably a matter of filling in our name where another city has done this already. He said we may have a couple of items. He would like Council to know when the Fire Department is being cut. He thinks this is a fair addition to the ordinance. But, we can discuss all that. The idea is, yes, bring it back to Committee with something that can actually be discussed, not to create analysis-paralysis where it is there for months or kicked between five Committees. He asked Mr. Pagliarini to explain to Council how involved he thinks the process is.

Mr. Pagliarini stated that if you have sent, and Mr. Cunnane has, a model ordinance. If the Town wishes to adopt something similar to a model ordinance, it is a fairly simple drafting procedure and assume that it would mean meeting with Mr. Cunnane to discuss details that could be presented to the appropriate Committees.

Mr. Cunnane thanked Mr. Pagliarini.

Mr. Owens asked Mr. Cunnane if it is his intent to create an ordinance that allows the Town to continue its effort in the NFPA 1710 guidance. He stated that the NFPA is a regulatory agency that provides guidance for our Fire Department.

Mr. Cunnane responded in the affirmative. He stated that they are not really regulatory, but our own Fire Chief has called it the "gold standard" of fire response. He said to quote his friend, Mr. Santos, why should we do this? Because we are Mount Pleasant, that is why.

Mr. Owens stated that his question is...

Mayor Haynie interjected and stated that under the Rules of Operation, everyone is allowed a chance to speak once before other members speak twice.

Mr. Brimmer stated that he will add, as the Chairman of the Fire Committee, this item has already been added to the March Committee meeting agenda, so we will be discussing this in the next Fire Committee meeting. He stated that, personally, he is uncomfortable voting for anything tonight without the information that Council needs. He believes that in Committee is the proper place to have this presented and discussed, to share concerns and get questions answered. He said from that Committee meeting, if Legal then wants to take the feedback they obtain and draft something for Council to consider for first reading next month, he believes this would be appropriate. He believes that just putting something out there and asking for Council's support without really having the information behind it is not the best way to do business here.

Mayor Haynie stated that there is a motion and a second and Council has had discussion.

Mr. Cunnane stated that there are individuals who are signed up to speak.

Bill Pesature, 2259 Sandy Point Lane, stated that as Council goes forward and hopefully considers this, he would also recommend that you look into your high rise structures, your taller buildings. He said that the NFPA standard for that alone is 43 people for fire in a building like that. He said the NFPA standard for a garden apartment or strip mall is 28 people and right now, he believes that the Town runs about 30 people on staff. He said, yes, it is going to be a financial impact on the Town, but as the Town grows, you get stretched out and have traffic problems and issues getting from point A to point B and how to get the people from point A to point B. He said if you have more people on a vehicle that respond to the scene, they can get to work

faster and do more. He just asks Council to consider all these things as you move forward on looking at the NFPA 1710.

Mr. Owens stated just to clarify, the motion is to shore up the Town's ordinance or create a Town ordinance for NFPA 1710 staffing. He said as everyone on this Council realizes, NFPA is a standard for fire protection. He believes it would be proper for Council to vote on a first reading knowing that we have six months between the first reading and the second reading to send it through Committee. He said to be on the record that it is Council's goal to perform their duties that they approve an NFPA guideline would be appropriate.

Mr. Bustos stated that since that has all percolated to the top about the NFPA, he has been doing some research and trying to find out. His first question is: Have we ever adopted NFPA as our standard that we want our Fire Department to aspire to? He said we do have certifications and there are a number of agencies around and some of these NFPA standards have been adopted by OSHA. He said what OSHA adopts, then the Town is obligated to look at. He said actually, the NFPA leadership, Mr. Pauley, has never been a fireman. He said Mr. Pauley is an electrical engineer and they do their rules by Committee, where they have proposals and vote on them and he is not so sure we get the best product for that. He feels that the Town should find out, or at least he would like to find out for his own satisfaction, if NFPA is really the gold standard. He said we have our Fire Department and they are certified and accredited, as well as our Police Department. He thinks that there is more to look at now. He said the NFPA was actually started by insurance companies. He said insurance companies are doing this and sell books and have courses and do a lot of "for-profit" things, although they are listed as a non-profit. He thinks the Town really needs to find out if it is in the best interest of our Town whether NFPA or accreditation, because we spend a lot of money on all those things and need to take a little time. He said you have often

heard him say, “if you want it bad, you get it bad”. He believes this needs to go to Committee and needs a thorough discussion and a thorough look at the NFPA, accreditation, and there are several others, that give guidance to Police Departments. He agrees that it would seem much better to go to Committee and have a discussion and investigation so that we are not chasing these things.

Ms. Landing stated that at this point, it sounds to her like Council has two very different ways of approaching this. What was initially a motion made and seconded, is what we would be voting on, as far as she understands, unless someone amends that who is the original person. She said, and yet, it sounds like a lot of folks are saying, rather than direct Legal to now draft an ordinance and perhaps a lot of folks might feel that we should go back to Committee. She asked how Council would revert back other than the original motion being amended. She asked if Council would have to vote against it.

Mayor Haynie stated that the motion would have to be amended or we would have to vote on the motion or it can be withdrawn, and we have a motion on the floor that is to direct Legal to begin writing the ordinance, which would not go through the Committee, but the Chairman of the Committee has said that it is on the Committee agenda.

Ms. Landing stated that she would like to make an amended motion to send this matter back to the Police, Judicial and Legal Committee and or Fire Committee both before we vote on directing Legal to draft an ordinance.

Mr. Pagliarini stated that he thinks the motion is proper but believes it is a practical matter. He said it is probably not necessary to amend. He said the motion as he understands it is to have Legal prepare a document for presentation. It is based on an existing model ordinance which is already there, whether Legal drafts one or not, they will have the model ordinance. He is not sure it is necessary to say, “to amend”. He thinks it would

be more appropriate to either ask Legal to draft it or go with the model ordinance, as is and go from there.

Mayor Haynie stated that as he interprets this, we are stuck with the motion on the floor coming up for a vote after the end of discussion, and then there can be subsequent motions depending on the outcome of that one.

Ms. Landing stated that if a number of Council members are thinking this should go to Committee first to be looked at and Council votes against this tonight, it seems like Council is against the idea. She does not understand what Council is voting on.

Mr. Pagliarini stated that first of all, no motion is necessary to bring a matter to Committee. He said you can do it as a matter of Council if you wish.

Mr. Cunnane called for point of personal privilege. He said he did bring this request to the Committee (Fire) Chair for two months to hold a Committee meeting and it was denied due to scheduling or whatever else. He said this is not some end run around Committee, it is just to codify that this is going to be on the Committee, we are going to hold a meeting and whatever happens, we start first and second reading. He said just in response to another point was Fire Departments in the country were started by insurance companies, as well, not just the NFPA, just as a matter of history, so, something to think about.

Ms. Whitley stated that she is sort of with the rest of Council in thinking that this is an item for Committee discussion and with Mr. Bustos in saying that it is not clear that this particular standard is the one that we want to adopt. She said we have an accredited Fire Department, we have a strategic plan that is in place. She believes that these are things that need to be considered and there is a lot more information that needs to be given out to Council for them to understand. She said rather than task Legal, it makes more sense to bring that model ordinance to Committee and have Committee vet it rather than

expending Legal hours and dollars to draft a full ordinance when that may not be what the Fire Committee comes out with in the end.

Mr. Brimmer called for the question.

Mayor Haynie stated that there is a motion to end debate and call for the question, which requires a two-thirds vote of Council and there is no discussion.

Mr. Cunnane was opposed; all others voted in favor.

Mayor Haynie stated that debate is now closed. He said Council will now vote on the underlying motion. He asked Mr. Cunnane if he would like to read the motion again in its entirety.

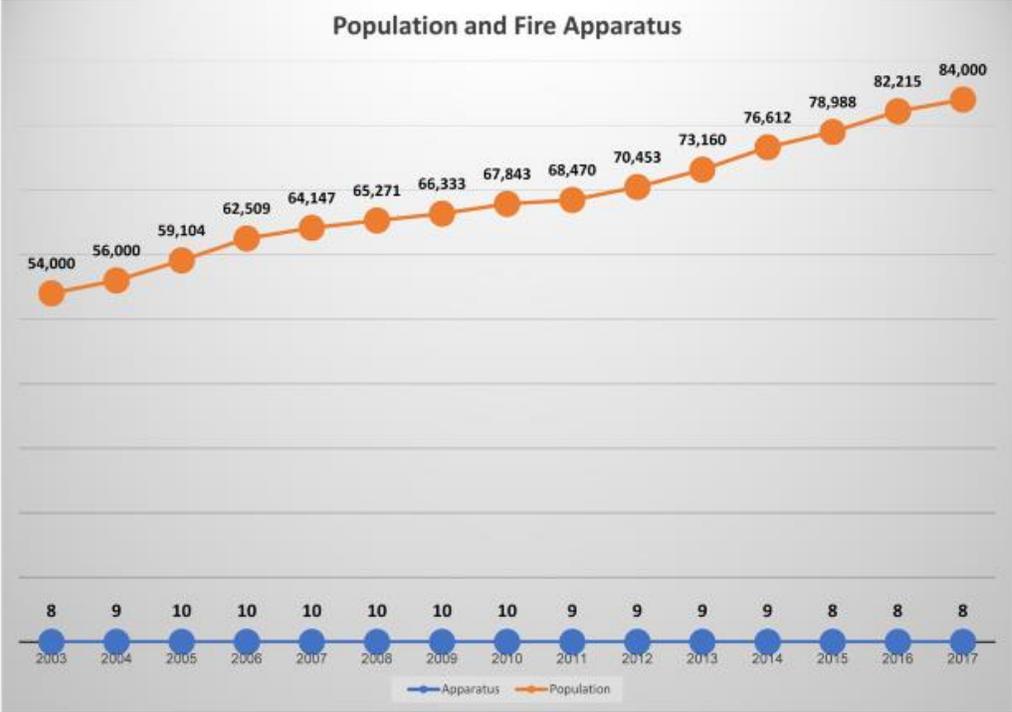
Mr. Cunnane stated that the first motion, as he said there will be others, is a motion to direct Legal staff to prepare an ordinance to bring to Fire Committee in March concerning minimum firefighter staffing and requiring prompt reporting to Council on all reduction to FD staffing or units. The ordinance to align with NFPA 1710 Minimum Staffing Standards.

Mr. Cunnane, Mr. O'Rourke and Mr. Owens were in favor. All others were opposed. Motion fails 3-6.

Ms. Whitley made a motion to defer the rest of this issue, in full, to Committee and move on to the next item on the agenda; seconded by Mr. Bustos.

Mr. Cunnane stated that he did break this up into four pieces for a reason, because after speaking to people, he realized that there are some that are very, for whatever reason, controversial. He said there are other ones that are extremely non-controversial. He said one of the things that just strikes me as having been at many firefighter funerals over the years, when they hand that helmet to the child, every politician is there and saying, "hey, we did everything we could, and we are always going to be there for you". He said being there for those fallen firefighters' families is something that this country does. He said

taking the bold action and being there for them before the tragedy strikes, that is a little bit more of a bold action and that is all we are asking, is to step back and say, “is there anything we can do to make things better for our firefighters”. He said if Council read the minutes from those four months of review on the Fire Department situation currently, it is just not where the Town needs to be. He said the Town has grown.



He stated that if you look at this slide, when we had 54,000 people in Town, we had eight fire apparatus. He said the top orange line goes up as population. He said when we were at 84,000 and today, he thinks, we are at 86,000, we are back to eight (apparatus). In the middle, we went up to ten, back down to nine. He said to me, it is pretty clear that we are going the wrong way and the strategic plan even brings that up. He said one of the things he was going to bring up as a separate motion, which now he is being shut down apparently, or trying to be shut down, is to direct the Town staff to place the previously

past fire department strategic plan into a priority position for funding and implementation. He said the Chief has asked for another ladder truck. He said this would allow it to make a Council policy decision that this is an important priority. He said when we looked at the strategic plan five year review from Mr. DeMoura at the Retreat, there were things over five years that got done quickly, other things got done towards the end of the plan, and there were some things that did not make completion. He said most of them did get completed, but there are some things that did not. He said by making it a priority to make the Fire Department Strategic Plan a top priority, we are going to ensure through Council policy that the ladder truck that the Chief has asked for will be purchased in the next five years. He said the other thing was a motion to direct the Town staff to prepare a report to Council Budget Committee on the feasibility of purchasing one ladder and one engine apparatus using Fund Balance. He said the logic behind this was that we can see from this chart that the Fire Department has not grown in accordance with the population. He said somewhere along that line those funds were directed elsewhere and at the end of every year after Mr. DeMoura informs him that is from good fiscal management, there is money left over and it goes into the Fund Balance. He said over those years, some of those funds should have been rightfully directed to the Fire Department, and for whatever reason, they were not. He said he knows there was a dip in there for recession and everything else, so he is not blaming anyone. He is just saying that the blue line should be catching up to the orange line on that chart. He said to look at Fund Balance was another one of his motions that now he guesses we are not going to speak about. He said, and the third was a very simple motion which is probably the least controversial of all, would be a motion to direct Town staff to investigate and report back to Council on the possibility of obtaining a SAFER grant from FEMA. He said the SAFER grant stands for Staffing for Adequate Fire and Emergency Response

Grant. He said it was created to provide funding directly to Fire Departments in order to help them increase the number of trained front line firefighters available in their communities. He said, as a matter of fact, we have used a very similar type of grant for a Police hiring and it worked out very well. He said he does not understand why we are going to squelch debate on three things that really are the simpler of the four.

Mayor Haynie asked Mr. Cunnane if he was finished.

Mr. Cunnane responded in the negative. He said this is probably the least controversial thing that has come before this Council in the time he has served here, but for whatever reason we are creating an analysis-paralysis where it has to go to three different Committees before we can decide whether we want to do the right thing by our firefighters and our citizens. He urged his fellow Council members to vote “no” on the motion to stop debate. He thanked Council.

Mayor Haynie stated that we have a Committee structure on this Council so that we do not pass bad ordinances, so that we do not end up taking two hours at second reading on an ordinance that passed unanimously on first reading, as has happened recently. He said Mr. Cunnane is on the Fire Committee and the Fire Committee will do its job and are meeting next month where these items will be on the Fire Committee agenda where they will get the detailed attention and expert input that they deserve. He stated that he resents the notion that doing work that is not caring about the safety of our citizens. He asked if Council was prepared to call the question.

Ms. Whitley moved to call the question; seconded by Mr. Bustos.

Mr. Owens and Mr. Cunnane were opposed. All others present voted in favor. Motion to call the question carries 7-2.

Mayor Haynie stated that Council will now call the question to defer this entire item to the Fire Committee at its March meeting.

Mr. Santos asked if this could also be added to the Police, Legal and Judicial Committee if Legal is going to be working on an ordinance.

Ms. Whitley amended her motion as such; amended second by Mr. Bustos.

Mr. Cunnane called a point of parliamentary procedure for the parliamentarian. He asked Legal if it is proper to amend a motion to stop debate with further action.

Mr. Pagliarini stated that it has to be a second parliamentary procedure, it has to be a motion to amend and a vote. He said what he would suggest is if the Police, Legal and Judicial Chair wishes to have it on PLJ, they can simply agree to do so on the record and it will be done.

Mayor Haynie stated that he will agree to do so on the record and it will be done. He said the motion as originally made and seconded and debated is to defer this to the Fire Committee at its March meeting. He said debate has been closed.

Mr. Cunnane was opposed. All others present voted in favor. Motion to defer items carries 8-1.

Mr. Cunnane made a motion that we also send it to the Finance and Budget Committees so that we can keep this from getting mired in months of Committee, he would like to see this come back as soon as possible; seconded by Ms. Whitley.

Mr. Brimmer asked for a point of clarification. He asked what exactly is going to the Committees at this point.

Mayor Haynie stated that if we were in discussion, it would beg the question of how the Finance Committee would know what to do if the Fire Committee has not said what it needs.

Mr. O'Rourke stated that he thinks it is bigger than that. He said it is difficult to look at the Town's budget in just one department without looking at the whole. He said they could bring it in and end up by saying that "in concept" they may agree on things, but until the entire budget is done and packaged for a full vote, he does not really think we can leave the Finance Committee with a definitive answer of a yes or a no. He said that whatever comes out of Committee has to be put into the budget, shaken up discussed, compromised and then we come up with something. He stated that he does not have any problem putting it on the agenda at all, but he does not think they are going to come out of it by saying it is definitely going to be funded, because he does not believe they have the authority for that.

Mayor Haynie asked Mr. Cunnane to clarify the motion of what is being sent to the Finance Committee.

Mr. Cunnane stated that he would like to send the feasibility of purchasing one ladder and one engine apparatus using fund balance, as well as to direct Town staff to investigate and report back to Council on the possibility of obtaining a SAFER grant for firefighter hiring from FEMA.

Mayor Haynie asked if this was an amendment to the motion or just a clarification.

Mr. Pagliarini stated that it was just a clarification.

Mr. O'Rourke stated that he is trying to help Mr. Cunnane get to his finish line. He said he thinks it would be better if Mr. Cunnane does not specify where those funds will come from and let that happen. If it is agreed upon, we can go back and figure that out, but if Mr. Cunnane says definitely now that the discussion will be from Fund Balance.

Mr. Cunnane stated that Mr. O'Rourke is the Chair (Finance Committee) and asked if he would put Firefighter Discussion (on the agenda).

Mr. O'Rourke stated that he will put it on.

Mayor Haynie called for point of order. He stated that all comments are directed to the Chair under Roberts Rules of Order.

Mr. Cunnane stated that he (Mr. O'Rourke), asked him a question.

Mayor Haynie stated that under Roberts Rules, all comments are directed to the Chair.

Mr. Cunnane asked Mayor Haynie if he can answer the question.

Mayor Haynie stated that Mr. Cunnane is out of order.

Mr. Cunnane replied to Mayor Haynie, "as are you".

Mayor Haynie stated, no sir, he is the Chair and under Roberts Rules of Order, which by ordinance has the force of law in the Town of Mount Pleasant, all comments are directed to the Chair. He advised Mr. Cunnane to direct to the Chair and the Chair recognizes people. He stated that it also says that no one speaks twice until every member has had the opportunity to speak once. He said that this is the law. He stated that Mr. O'Rourke has the floor.

Mr. O'Rourke stated that he would like to see if there is a desire to amend the motion not to include the funding source as it is discussed in the Finance Committee.

Mayor Haynie directed his comment to Mr. Cunnane and stated that as the originator of the motion, would he like to amend his motion.

Mr. Cunnane stated that since Mr. O'Rourke is the Finance Committee Chair he would be more than happy to let him decide how he puts things on his Committee. However, the purpose of it was to avoid six months of bouncing between Committees so he is glad if he wants to put it his way, that is fine with him.

Mayor Haynie asked if Mr. Cunnane was withdrawing his motion.

Mr. Cunnane withdrew his motion.

2. Discussion on safety improvements for bicycle pedestrian access to the Lucy Beckham High School campus.

Mayor Haynie stated that as Chairman of the Transportation Committee, he was at the meeting Wednesday night which was a publicly held workshop and not a meeting for public input. He said the Chair of the District 2 Constituent Board of Trustees has asked that Town staff meet and make a presentation at their March meeting. He said the day after that meeting, he met with Mr. DeMoura and went over this. He said executive staff and Planning staff are working on the population numbers and working on everything that has to do with accessibility, safety, traffic management and anything that could possibly make getting to the new Lucy Beckham High School which will open in 2020, more feasible and safer. He said this is underway and really should not have been put on the agenda tonight, because the work was already being done. However, it was put on the agenda and is on the Committee agenda for the March meeting which does not require any action of Council tonight.

Ms. Whitley made a motion to defer this item in full to Committee and move on to the next item on the agenda; seconded by Mr. Santos.

Mr. Cunnane stated that he placed this on the agenda because there were 40 or so members of the public at the workshop meeting at Laing last week that were shocked and dismayed by the fact that the District seemed to not have a real knowledge of any work with the Town. He said the concern is that this has not been a school location in a while and at one time it had all sorts of pedestrian access. He said there have been a few projects in the area. He put this on the agenda to attempt to have the Town look at it from a multi-disciplinary standpoint which would include, having Town staff examine pedestrian and bicycle access to the Beckham High School site, and to report back to Council in whichever Committee it was relevant, what, if any

improvements can be made and what, if any, budget implications exist to do so. He said the reason for putting it on, is because it places us in a position of having two budget cycles if we have anything that we have to address. He said there was a group from the Laurel Lakes neighborhood and they reported that they could easily bike to the school, but there is a small spot that needs some attention. He said looking at it you cannot tell in front of a vacant lot whether it is Town or County, whether it is an SCDOT road or whether it is private property, what the right of way is, etc. He said our experts will be able to tell Council this and that was the purpose of putting this on to get it done sooner rather than later to have a look by the Town.

All present voted in favor of referring this to the Transportation Committee meeting in March.

Mr. Cunnane stated that he would like to make a motion.

Mayor Haynie stated that the matter has been deferred and is off the table. He stated that we are no longer on this agenda item.

3. **First Reading:** An Ordinance to annex an approximately 0.66 acre tract of land in Charleston County comprised of three parcels: I) a 0.12 acre parcel at 1259 Foxtail Lane; II) a 0.31 acre parcel at 1251 Foxtail Lane; and III) a 0.23 acre parcel on Melvin Bennett Road shown on Plat Book BJ, Page 169, in the Charleston County ROD. (Ord. No. 19002)

Mr. Bustos moved for first reading of the annexation and zoning for items A.1 and 2 (should now be items #3 and #4); seconded by Ms. Landing.

Mr. Owens asked what it is currently zoned for.

Mr. Ulma stated that in the county, it is R4, which is residential zoning.

Mr. Cunnane asked Mayor Haynie if he can ask Mr. Ulma a question.

Mayor Haynie replied in the affirmative.

Mr. Cunnane asked Mr. Ulma if a hotel is an acceptable use in an AB that they are applying for.

Mr. Ulma stated that a hotel use is permitted with an AB-2 zoning.

Mr. Cunnane stated that this raises a concern back to what we just discussed with the Fire Department readiness. He said there are two hotels across the street; they are rather large, and the Town does not have the firefighting resources in Town for this and is very reluctant to approve anything that could potentially become another hotel. He said the reason he is concerned about this from a Planning standpoint is that there is talk in this comprehensive planning group that just released their draft that we want hotel hubs and hotel zones and other things that really have not been vetted by the neighborhoods yet. He asked if we really want to put another twelve-story hotel in this spot with all the intended traffic and that being a secondary concern of course to the issue of firefighting in a high rise building. He said we can leave this be and not have that issue. He said he gave Council an opportunity earlier this evening to start addressing – we have 30 firefighters in Town on duty. He said a high rise under the national minimum standard requires 43 firefighters. He said anything that could lead us to a high rise, he is very reluctant to approve at this point considering that Council did not recognize this as an issue. He said he does not know how we get from 30 to 43. He said if we were at 40 or 39 maybe he could live with it, but the Town is nowhere near where we need to be and in light of that, he is not comfortable zoning anything as AB at this point.

Ms. Landing directed her comment to Mr. Ulma and asked that if this comes in as AB-2, is there a height restriction already on this property.

Mr. Ulma stated that AB-2 generally has a height limit of 35 feet, but allowed other heights depending on overlays and other requirements. He said he is not sure of the specific location of the

height. He said typically under the Town's existing height limits, those buildings are in that five-story range.

Mr. Santos stated that the applicant is in the audience and said the applicant also owns the property next to it where the Hughes Rental is located. He asked how big the property is.

Mr. Ulma stated that it is almost two acres. He said there are several parcels there, so it may be more than that.

Mr. Santos asked if that is also zoned AB-2.

Mr. Ulma responded in the affirmative.

Mr. Santos stated that in theory, he could co-mingle those properties that he is getting ready to annex into one larger piece.

Mr. Ulma responded in the affirmative and said if it is all under common ownership.

Mr. Santos stated that across the highway, the Town did the same thing for another piece of land and spoke to the developer and he was not planning to build a hotel or anything and now that he received the approval, he is planning to build a hotel. He said the Town cannot condition zoning. He said the Town would not be able to condition this as well if we bring this in.

Mr. Ulma responded in the affirmative and stated that the entire range of allowed uses or conditional uses, it is an all or nothing proposition with the zoning district and the uses that are allowed in it.

Mr. Santos asked for some of the uses allowed.

Mr. Ulma stated civic and community uses, places of worship, educational facilities, government facilities, commercial, recreation and entertainment.

Mr. Santos asked if this could be restaurants or bars.

Mr. Ulma said commercial entertainment and recreation could be a bowling alley or those types of uses. He said healthcare uses, general offices, boutique hotel or inn or hotel, motel or extended

stay boutique hotel and retail sales without outdoor storages are a permitted use. He said it is a full range of commercial activities.

Mr. Santos stated that he heard Admiral Shimp earlier talk about getting the infrastructure in place before we approve high density developments, and this could be one since we cannot condition it. It could end up being a higher use or high density development if it is a hotel. He agrees with what the admiral said. He said in the last election and the one prior, citizens were very serious about slowing the growth down until the infrastructure is in place. He said this is why he was opposed to the other hotel, because the infrastructure is not in place right now, and he is talking about the roads. He said this could possibly be the same thing.

Ms. Landing stated that it has been her impression that most people on Council have been open to the idea and trying to work towards including the comprehensive plan idea to annex in as many of the donut holes that are appropriate – the ones that are commercial properties, including areas such as this, and not have these areas that are unincorporated that are not necessarily part of the Town's historic settlement communities. To have this annex in, in this case, where it matches the rest of the surrounding area as opposed to annexing in and putting in apartment buildings.

Mr. Ulma stated that it is currently single family residential.

Ms. Landing stated that bringing it in as AB2. She said this seems as if this is in line with what the Town was thinking in many areas. She said there was one across the street off of Bowman. She asked if it were true that any actual building that would have to go up would have to go before the Planning Commission.

Mr. Ulma said that if it met the zoning and a site plan were submitted that met the standards, it would then go to the Design Review Board for review in terms of architectural and site layout, but they would not have the authority to make decisions about taller buildings or allowing other uses. He said they would have to

go with what the allowed use is and the standards. He said they would be looking at orientation, layout and architecture of the building as they would be reviewing a specific development proposal.

Ms. Landing stated that if someone wants to be able to annex in property and requests that of the Town and wants to bring it to match the surrounding area, but we do not know what they are going to build and have no control over it, some people would be uncomfortable annexing it in, because we do not know what is going to be built there. She asked if there is any other way this property could be brought in for something like economic development, if it were a particular project or a planned development that could help those concerns up front.

Mr. Ulma stated on the latter, in a planned development, a mix of uses is required, so just one use looking at it for economic development purposes would be another bigger, broader discussion.

Mayor Haynie stated that the question before Council, legally in a parliamentary sense is only that one strip. He said Council is not rezoning the other and legal did just advise that anything that goes there that generates a certain number of trips per day is subject to the impact assessment of Council. He said before anything large goes on that property, if there are infrastructure concerns, this Council may deny it.

Mr. Bustos stated that he would like to draw everyone's attention to the fact that this piece of land is on Watermark Boulevard, which is of a size to handle MSC and the apartments by Mediterranean Shipping. He believes for that property size; the road infrastructure is there which is one of the things that they looked at in the Planning Commission.

Mr. Cunnane directed his question to Mr. Ulma and said he missed the part where someone asked Mr. Ulma what the height would be under the Carta overlays in that area.

Mr. Ulma stated that he does not have the overlay in that location, so he does not have the specific height.

Mr. Cunnane asked Mr. Ulma if he was saying that there is no overlay in that area.

Mr. Ulma stated that he is not sure where the overlay begins and ends in that general vicinity. He stated that he did not have that overlay map here. He added that the overlay does allow taller buildings, such as 75 or 50 feet depending on locations.

Mr. Cunnane stated that in light of that he would like to ask that the yellow book that was shaken in his face a few moments ago be consulted, if necessary, but would like to see this deferred until he can get this answer.

Mr. Cunnane made a motion to defer until such time as we have the height.

Mayor Haynie stated that a motion to defer cannot be made.

Mr. Pagliarini stated that we have a combined motion on the floor for approval of A.1 and A.2 (*now items A.3 and A.4*).

Ms. Landing moved to call the question; seconded by Mr. Bustos.

Mr. Brimmer and Mr. Cunnane were opposed. All others present voted in favor. Motion to call the question carries 7-2.

Mayor Haynie stated that the motion on the floor now is to approve Items A.1 and A.2 (*now items A.3 and A.4*).

Mr. Santos, Mr. Cunnane, Mr. O'Rourke, Mr. Owens were opposed.

Ms. Whitley, Mr. Brimmer, Mr. Bustos, Ms. Landing and Mayor Haynie were in favor.

Motion to approve carries 5-4.

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

4. **First Reading:** An Ordinance to zone AB-2, Areawide Business-2 District, an approximately 0.66 acre tract of land comprised of three parcels: I) a 0.12 acre parcel at 1259 Foxtail Lane; II) a 0.31 acre parcel at 1251 Foxtail Lane; and III) a 0.23 acre parcel on Melvin Bennett Road Shown in Plat Book BJ, Page 169, Charleston County ROD. (Ord. No. 19004)

[Approved with Item #3 above]

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

5. **First Reading:** An Ordinance to annex an approximately 0.41 acre tract of land at 1713 Halls Pond Road, Charleston County. (Ord. No. 19003)

Mr. Pagliarini stated that it might be appropriate if all Council felt that voting for any combination together is appropriate, but if anyone disagreed on any one of them, then they must be addressed separately. He stated that as an additional matter, he would like to note that on item #3 (now item #5) for the annexation, that .41 acre should match #6 and #7. He said it should be .27 acres and if it reaches final reading, then it can be corrected at that time.

Mayor Haynie clarified that it is not .41, but .27 acres.

Mr. Pagliarini responded in the affirmative.

Mr. Brimmer suggested to take these items separately.

Mr. Ulma stated that this is a request for an annexation, a Comprehensive Plan amendment and a zoning designation on this property. He said the property is currently improved with a single family residence but is operating as a business as a speaker earlier in the evening indicated. He said the Comprehensive Plan recommends Community Conservation in this particular location. He said the property owner is asking for a Commercial land use designation with AB-2 Commercial zoning. He said the property is located between Hungryneck Boulevard and US Highway 17 and right along the edge of the property on Halls Pond Road, is the

boundary line between the commercial on one side and the Community Conservation on the other. He said this request would be bringing that commercial designation and the land use plan in this direction. He said adjacent properties already in the area along Venning Road are in an AB zoning district designation. He said this request is for AB2 and this would cover any commercial outdoor storage or activities. He said the Town is in the process of updating the comprehensive plan and the planning effort has identified changing conditions in this particular location. He said that boundary line is proposed to move further towards Hungryneck so the split between commercial and community conservation, the current draft of the new plan suggests that it be commercial moving in that direction to acknowledge all of the different commercial uses and activities that are already there. He said this site is used as an office for a concrete construction business and is served by Halls Pond Road which is a private unimproved dirt road. He stated that if approved, in order to do the outdoor storage, it would need special exception approval and in order to do any commercial additional changes, would require a DRB (Design Review Board) process of review. He stated that the Planning Commission recommended 4-2 and the Planning Committee had no recommendation

Mayor Haynie asked if the 4-2 vote from the Commission was to approve or not to approve.

Mr. Ulma said to approve.

Mayor Haynie stated that it did not get an approval from the Planning Committee.

Mr. Ulma stated that this is correct.

Mr. Santos made a motion to approve item #3 for annexation (now item #5); seconded by Ms. Landing.

Mr. Brimmer stated that this particular item was unusual in that it came with no recommendation from the Planning Committee, either approval or denial. He is unable to speak for the other

members, but the reason he did not take a position on this item in Planning Committee was because he did not feel it was right to say that the Town will annex you in, but then deny his request for the property. He said he was not comfortable with the AB-2 request, although he understands why it is being requested. He said we recently had discussion on the appropriateness of AB-2 in parts of Town and this will be the only AB-2 property anywhere near this area. He said he did not feel it was appropriate for him to approve, but then deny what they may want to do with the property. He stated that this explains his decision in the Planning Committee.

Mayor Haynie stated that he watched this being debated in the Planning Committee as well and for the same reasons as Mr. Brimmer, he plans to vote against this annexation, because he is not on board with the AB-2 zoning, given how far this is into a neighborhood and into an area that has been Community Conservation.

Mr. Cunnane asked Mr. Ulma what the allowable height will be if the property is zoned AB-2.

Mr. Ulma stated that it would be the same height limitations. He stated that this is in another overlay district which limits the size of buildings or the square footage.

Mr. Cunnane stated that there was a hotel right in the area there and believes it is now going to be a Hyatt at Hungryneck, behind the Chevrolet dealer. He stated that this should be in the zone or same type of overlay.

Mr. Ulma stated that this was probably part of the Mid Town Planned Development District.

Mr. Cunnane stated that he believes it was in the Community Conservation at one point, but what his concern is, again, someone conglomerating the properties and deciding that they want to go up (in height) when we have a Fire Department that is not capable of handling buildings that go up without the proper

manpower, and we now have a Council that does not view that as a priority.

Mayor Haynie stated that he would like to object to Mr. Cunnane's comment. He asked Mr. Cunnane to address the motion at hand and quit judging the motives of others.

Mr. Cunnane stated that it is a point of personal privilege. He directed his comments to Mayor Haynie and stated that every time a property can be built as a high-rise, he will remind the Council of the fact that we do not have a Fire Department that is proper for that size building. It is okay if Mayor Haynie does not like it and said, he can use all the parliamentary tricks he likes, sir, to try and squelch him from saying what he would like to say but that Mayor Haynie is not going to stop him. He said the question asked was related to the height, the height ties to the zoning.

Mayor Haynie directed his comments at Mr. Cunnane and stated that this was not his objection. He said the point of his personal privilege was Mr. Cunnane inserting motives of others, which is expressly prohibited by our rules.

Mr. Cunnane directed his comments to Mayor Haynie and stated that he is sure waving a book in someone's face also was.

Mayor Haynie stated that he is not waving a book, because Mr. Cunnane is all the way down there and he is away from Mr. Cunnane. He asked if there are any other comments that have to do with the motion to approve item #3 (now item #5), which is annexation.

Ms. Landing asked to see the illustration once more. She asked where the residential homes were located.

Mr. Ulma stated that the crosshatched indicates the county property with a lot of residential uses. He said in the aerial photograph you start to see the commercial and office uses along Venning Road and the residential behind.



Ms. Landing stated that towards Venning Road, the left side going down Halls Pond are commercial and then according to the previous speaker, we have two residents that live on that other side and they are both okay with this.

Mr. Ulma stated that he believes that the farther it goes in it turns to make a cul-de-sac.

Mayor Haynie stated that if the motion to annex this property passes and amending the comprehensive plan and changing the zoning fails, we will have annexed a piece of property in as R1 that is currently being used commercial. He asked if this was correct. He asked if it automatically gets annexed in as R1.

Mr. Ulma said it would be CC Community Conservation under that designation.

Mayor Haynie stated that either way, we would have annexed in a piece of property that is automatically non-compliant.

Mr. Ulma responded in the affirmative.

Mayor Haynie stated that the response he is receiving from the Town Administrator and Legal Counsel is yes. He stated that we cannot give these other things unless we annex it first because we do not have governance over it currently. He urged Council to

look at the other things and see if they are willing to vote on these, or we will have annexed something in and created a non-compliant use within the Town.

Mr. Santos stated that this is only first reading so after this, the property owner may come up and change his mind and want to do something else.

Mayor Haynie stated that this is what is before Council now.

Mr. Santos stated that just because we vote on this today, does not make it so. He said Council must have second reading, so in the next 30 days, the property owner may come up with a different idea and at second reading, Council may vote in favor or deny. He stated that it does not bind the property owner by Council voting in favor of this now.

Ms. Landing stated that this is still confusing. She said what we have right now is a business that is in the County.

Mr. Ulma stated that it is an office for a concrete construction company.

Ms. Landing stated that they want to annex in, but because of the way the comprehensive plan is now, it would come in as Community Conservation, which would not work with their business; therefore, they are asking to have an amendment to the Comprehensive Plan and then come in as AB-2. She said what they already are now will be compliant with coming into the Town. She said we are basically saying we do not want you in the Town if we do not annex them in and allow them to do AB-2. Is that essentially what we are saying?

Mr. Ulma stated that their request is to make it conform to the operation that they already have – the zoning request.

Ms. Whitley stated that if we go back several slides, she believes that the reason why they are requesting AB-2 is because they want to add storage. They are not currently using it for storage,

because it would not be allowed under their County usage either where it is zoned.

Mr. Ulma stated that there may be some outdoor equipment, but not full blown storage. He said it is a business operation.

Mayor Haynie stated that the motion is to approve item #3, (now item #4), which is the annexation.

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

Mr. Brimmer, Mr. Bustos, Mr. Cunnane, Mr. Owens, Ms. Whitley and Mayor Haynie were opposed. Motion fails 3-6.

Mayor Haynie stated that the motion fails, so this makes Items #4 and #5 (now items #6 and #7) moot, and asked Legal Counsel if Council needed to vote on these items.

Mr. Pagliarini stated that it was discussed, and these items were rendered moot, so there is no reason to vote on amending the comprehensive plan and zoning without properly being annexed into the Town.

6. **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 0.27 acre tract of land located at 1713 Halls Pond Road by changing the Land Use Recommendation from Community Conservation to Commercial. (Ord. No. 19005)

[Refer to item #5]

7. **First Reading:** An Ordinance to zone AB-2, Areawide Business-2 District, an approximately 0.27 acre tract of land at 1713 Halls Pond Road, Charleston County. (Ord. No. 19006)

[Refer to item #5]

8. **A request for a one year extension of vested rights of the Bridgeside II Planned Development District regarding the development known as the Legacy.**

Mr. Ulma stated that items #6 and #7 (now #8 and #9) are two similar requests for one year extensions of vested rights within the Bridgeside II Planned Development District. He said this first one relates to a property or development known as the Legacy at Patriots Point.



TOWN OF MOUNT PLEASANT, S.C. 

Mr. Ulma stated that the location of this property is adjacent to the Omar Shrine Temple as outlined in red on the east side of Harry M. Hallman, Jr. and Patriots Point Boulevards. He said this request is part of the Bridgeside II Planned Develop District. He said their request is to receive a one year extension of their vested rights and under state law and the Town’s ordinance, unless something has changed in the zoning code that would preclude them from pursuing the development that was originally approved, Town Council is obligated to approve these extension requests.

Mr. Santos motioned to approve items #6 and #7 (now items #8 and #9); seconded by Ms. Whitley.

Mr. Cunnane asked Mayor Haynie if he could ask Mr. Ulma a question. He directed his question to Mr. Ulma and stated that the portion in red that talks about the ordinance, and he attended the Planning Committee meeting, asked if Mr. Ulma

would run through this again on exactly what that means. He said if our tree buffer has changed, would this project still be approved, such that the Town would have that requirement to extend the vested rights. Or is it up for question as to whether this plan will work with our new buffer ordinances.

Mr. Ulma stated that it is the latter. He said if the ordinance has changed and, for example, the original approval allowed a height of 60 feet and the ordinance changed to make it 50, it would be clear that they could say the Town changed the ordinance and they can no longer build under the original approval. He stated that the only changes that the town has done that would affect this are the ordinance amendments that Council approved last fall dealing with tree and buffer and tree protection. He said there may or may not be something that would preclude the development but will not know until the developer actually comes in with a more definitive plan that staff can evaluate. He said of most critical concern is the critical line buffer, which would be on the waterfront. He said for the first Legacy property, they are not near the marsh or the waterfront, so that buffer would not apply to them. He said for the Ferry Wharf side closer to the water, that critical line buffer may or may not come into play as they move forward with the rest of their development. He said this would be determined once a specific development plan is submitted. He said sometimes it is clear and easy to say. He said staff could recommend to Council that you cannot extend this vested right because the ordinance has changed in a fashion that they cannot pursue the original development. He said in this case, staff is not able to tell Council this.

Mr. Cunnane asked Mayor Haynie if he can ask Legal Counsel a question.

Mayor Haynie responded in the affirmative.

Mr. Cunnane asked Legal Counsel if he could tell Council where he falls down on this question of the part in red. He asked if Council is obligated under state law to pass this or not obligated.

Mr. Pagliarini stated that he thinks that the Planning Director has stated it appropriately and correctly and when applied it is an obligation, but this is different than some others that Council has seen, because it is a Planned Development District. In this situation, there may be plans in the future that run counter to changes in our code that have already been made. He said that we simply do not know that yet. He said this is simply an extension of the PDD rights and nothing more than that. He stated that any plan is still subject to review for determination as to whether it meets Town standards.

Mr. Cunnane asked if it would include a review on that portion.

Mr. Pagliarini responded in the affirmative.

Mr. Cunnane stated that his remarks are concluded, Honorable Mayor Haynie.

Mayor Haynie stated that the motion is to approve the one year extension of vested rights of items #6 and #7 (now #8 and #9).

All present voted in favor

9. **A request for a one year extension of vested rights of the Bridgeside II Planned Development District regarding the development known as Ferry Wharf.**

[Approved with item #8]

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 stated that since this is final reading and we have been down this road a few times previously, he would ask Mr. Ulma to please summarize the changes from the last meeting and where we stand today.

Mayor Haynie responded in the affirmative and said that this was discussed with Legal Counsel yesterday. He believes that everyone is ready to move on with this item; however, wanted to make sure we are in compliance with what was posted, noticed and if we have significantly departed from that to where it could be an issue.

Mr. Pagliarini stated that he believes that the best thing is for Mr. Ulma, as requested, to explain the difference, because he believes what he is about to explain, we have concluded that it would fall under proper notice. It is simply a matter for Council to approve or not approve, but it would have to be amended, of course. He said it could be approved as is, amended or denied. He said those are the options.

Mr. Ulma stated that there have been no changes to the other portion of the request that dealt with the changes to the square footage limitations on the buildings. He said this has been the same through the entire process. He stated that there are some excerpts from the appendix to the PD that show the different changes. He said there are five pages within the actual document itself. He said the proposed additional amendments deal with these two aspects; (1) additional language dealing with an increased setback adjacent to the residential homes adjoining this property. The rear setback adjacent to Tupelo would be 35 feet as opposed to what it is today. He said considerable time was spent with the applicant and the adjoining property owners and staff in reviewing this in order to be able to locate the commercial uses. He said the applicant proposes that a 35 foot landscape buffer be adjacent to the existing residential. He said this would have a six foot berm which would be planted and a three foot wooden fence on top of that for additional screening. He said that

berm could meander or move through that 35 foot landscape buffer in order to take into account things such as drainage significant trees to be protected and additional language that would say it would be designed to minimize to maximum possible, any drainage implications for the adjoining residential and would be placed closer to the rural commercial side than it would be to the single family residential. He said as this is progressed through the process, staff believes that this ties to those square footages in the size of buildings and it is a fair thing to think about different setbacks or buffers as the building sizes change. Staff sees this as an extension of the original request and would view this as appropriate that Council could amend at second reading to incorporate this language.

Mr. Brimmer made a motion that we amend this item as Mr. Ulma has outlined with all the changes that have been shown; seconded by Ms. Landing.

Adam Nunes, 1011 Banker Court, stated that what Mr. Ulma mentioned is exactly what was agreed to. He said he wanted to make this clear, as previously it was up for debate as to whether the homeowners would agree or not. He said there have been a great deal of ups and downs with coming to an agreement but feel that they have come to something they can live with. He thanked some of the Council members; Mr. Cunnane and Mr. Brimmer for making them feel like their voices were heard and were not just complaining to complain and “not in my back yardism”.

Mr. Brimmer verified that Mr. Cook, property owner, was present. He asked if Mr. Cook was in agreement.

Mr. Cook responded in the affirmative.

Mr. Cunnane thanked Mr. Cook for sticking it out and also the residents. He said he thinks it has been six or seven months probably and the final product is going to be better because of it. He thanked everyone involved.

Mr. Santos stated that he wanted a clarification on the motion. He asked if it was only the changes made in red or is it for the increased square footage of the buildings.

Mr. Brimmer stated that the motion was to take the original ordinance and include these proposed amendments, as a part of that ordinance.

Mr. Santos asked if the increased square footage of the buildings is included in this.

Mr. Brimmer responded in the affirmative and said it is the original plus the changes.

Mr. Santos asked to see the square footages again.

Mayor Haynie stated that this does not increase the total amount that is allowed to be developed at this site.

Mr. Ulma stated that Mayor Haynie is correct. He said there is a cap of just under 200,000 square feet for the entire site.

Mayor Haynie stated that the total amount that can be developed there is not being changed, but just different categories of buildings.

Mr. Ulma responded in the affirmative.

Ms. Landing stated that she wanted to thank Mr. Cook and the neighbors for their time and effort, both in coming to the Economic Development Committee meetings, which they were invited to and in their work together on the side. She said what this was after first reading when they did not have any input from the neighborhood, was something that passed quickly, and then Council found out that there were a number of residents concerned. She said by bringing it back to Committee at that point, mainly so the two sides could meet and talk, a lot was accomplished which is how they got here today. She thanked them for working together and lets all remember that if this did not pass this evening, what we would end up with is a possibility for Mr. Cook to have a 40,000 square foot grocery store 15 feet

behind residential homes with no buffer. She said this was a great deal of effort.

Mr. Pagliarini stated that this vote would only be on the amendment.

Mr. Santos was opposed. All others present voted in favor. Motion carries 8-1.

Mr. Pagliarini stated that we will now need a motion on the amended ordinance.

Mr. Brimmer made a motion for the approval for final reading on the amended ordinance; seconded by Ms. Landing.

Mr. Cunnane asked Mayor Haynie if he could ask Mr. Ulma a question.

Mayor Hanie responded in the affirmative.

Mr. Cunnane asked Mr. Ulma what the heights would be on these commercial properties. He asked if it tapers out as the Town goes up towards Awendaw.

Mayor Haynie asked the residents if they had any concern regarding heights.

Mr. Cunnane stated that being that this is not a proposal for a building, he would like to let the neighbors know that there is a single three person fire engine responding to Tupelo. He said as we get higher please join him in calling for increasing that protection in that area, which could be tomorrow or five years from now. He does not wish to penalize Mr. Cook at this moment for it. He will be voting for it, but please join him in urging that the Fire protection will come in line with the size of the Town and its buildings.

Mr. Ulma stated that the height limit is 55 feet.

Mr. Santos was opposed. All others present voted in favor. Motion to approve the final amended version of the ordinance carries 8-1.

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

2. **Final Reading:** An Ordinance to amend Chapter 156, Zoning Code, pertaining to Telecommunications Towers by adding a new Section 156.121 regulating Small Wireless Facilities (Ord. No. 19001)

Mr. Brimmer moved for approval; seconded by Ms. Whitley.

Mr. Cunnane was opposed. All others present voted in favor. Motion to approve carries 8-1.

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

IX. COMMITTEE REPORTS

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

Report

- B. [Bids & Purchases Committee](#) (No Meeting)

Report

- C. [Economic Development Committee](#)

Report

Chairwoman Kathy Landing presented information about a new Mount Pleasant Eco-Friendly Partners initiative. The initiative would be a grass-roots community effort to promote eco-friendly business practices and adherence to the Environmentally Acceptable Packing & Products ordinance.

The committee also discussed a proactive approach to current and potential economic development opportunities. They discussed having community input into the type of businesses that are desired and to work proactively with entrepreneurs and business owners to bring those businesses to the area. The committee also discussed the need to overcome perceived barriers to success in

Mount Pleasant and to work with potential business owners to bring their investments to the community.

D. [Education Committee](#)

Report

The committee received information about the upcoming Saving Our Youth Seminar, which will be held on March 9th at the Cooper River Room. The event will facilitate a community-wide conversation about important topics such as Human Trafficking, Sex Abuse, Opioid/Substance Abuse (including vaping) and Mental Health/Teen Suicide (including bullying.)

The Committee also reviewed a letter sent on behalf of Town Council to the Moultrie 2 District Board arguing in support of zoning students in closest proximity to the new Lucy Beckham High School to attend there. In doing so, the district would promote the use of alternate means of transportation and help to alleviate traffic concerns.

E. [Finance Committee](#)

1. Consideration of funding request by Housing for All Mount Pleasant

The Finance Committee approved a recommendation for Council to consider funding up to \$50,000 matching grant for Housing For All Mount Pleasant.

Mr. O'Rourke stated that he puts this in the form of a motion; seconded by Ms. Whitley.

Mayor Haynie stated that this would be a matching grant.

Chris Brooks, 766 Chatter Road, stated that they appreciate the support from Town Council and the Finance Committee. He stated that they are tackling something that is a difficult issue for Mount Pleasant. He said they are tackling something that

other communities are doing through their own staff and they are doing it through a volunteer board. He said he appreciates Council's time given to this. He said they have lived here in Mount Pleasant for 34 years and raised three children. He said their children and very few of their friends can actually afford to live here. He said this is the problem. He said looking at Council, their own children may face this one day or may be facing it now. He said you just cannot afford to live in the Town they grew up in and thinks this is a real concern. He said to look at the lack of affordable housing here in Mount Pleasant. He said the prices in Mount Pleasant eliminates various groups of people. He said seniors for one. He spent several years at East Cooper Meals on Wheels and this organization as well as East Cooper Community Outreach are losing seniors because they cannot afford to live here in Mount Pleasant. He said transportation is a very difficult issue in the Town. He said 72% of those employed are coming and going across the Town to jobs elsewhere, which is what makes the traffic so difficult. He said employers also face difficult situations of attracting, retaining and having good staff. He said not everyone works for Boeing who will give you an incentive to find a home in the expensive part of the country. He said particularly if there is a bridge closure and we have all seen this in the past few years. He said if a bridge closes and people are driving in from Goose Creek or Charleston, they may think twice about coming to work if it was shut down for four or five days. He stated that affordable housing needs to be addressed for those otherwise it will affect a whole generation that are being impacted; our young professionals and families who cannot find a home in Mount Pleasant.

Melissa Moore stated that she has already spoken about their Affordable Housing for All Mount Pleasant accomplishments, which she believes are substantial, given their limited amount of time in existence. She would only ask that the Town consider giving their organization \$50,000 outright instead of making it a matching grant. She said it is going to be very difficult to raise

that money, but they know they can do it. She added that they already have the support behind them. She said there is the will in this Town to get done what they intend to get done. She knows that their mission is going to make this Town a better place for people to live, learn and earn and it will help ease some of the traffic commuting issues. She asked Council to please consider giving them the \$50,000 outright and she appreciates everything Council does.

Mr. Santos stated that he would like to address a comment Mr. Brooks stated earlier. He stated that several years ago, there was land that was zoned for affordable housing at the end of Rifle Range Road. He said that the previous administration voted to up zone it to R4 and now there are half-million dollar homes on that piece of property. He said not everyone voted for this. He said some wanted affordable housing and that was a prime place for it. He wanted to make sure, for the record, that everyone knows this was addressed previously and it was attempted, but unfortunately, was set back by a vote from a previous Council. He said we are now back to square one.

Ms. Landing said in identifying where the money would come from, one of the questions we might ask, because Council is having their Budget Committee meeting in March for the upcoming year, and this request is coming in towards the late part of the budget year. She said if Council were going to provide the funding, could it be reviewed in light of the new budget. She said if we are doing this as a matching grant, the Town would not be writing a check next week. She said the representatives from Affordable Housing for All Mount Pleasant talked about the developers they were working with and asked if there is anything they can tell Council about this. She said if this organization has something that is "hot on the trail" and is going to take funding to get this going, this could encourage people to help move this along.

Mr. Cunnane stated that he would like to thank Mr. Santos for bringing that to Council’s attention which he thinks is a very appropriate thing to bring up a prior Council vote to shed light on something we are discussing now. He thanked Mr. Santos for bringing this up. He said that he will be supporting this.

All present voted in favor.

Mr. DeMoura stated that Council will be taking up first reading of the amended Ordinance of the budget amendment this evening and will amend the budget ordinance for final reading next month to include the \$50,000.

- 2. Mr. O’Rourke stated that this item is consideration of the mid-year budget adjustments. He said the Finance Committee recommends approval of the FY2019 Budget amendment ordinance for Town Council’s consideration.

Approval of mid-year budget adjustments (See Ordinance under Council New Business Item XI.A.1)

- 3. Report

F. [Fire Committee](#) (No Meeting)

Report

TYPE	NUMBER OF CALLS
Fires	13
Medical	454
Other	292
TOTAL	759

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

Report

H. Patriots Point Development Authority

Report

Mayor Haynie stated that there was nothing major at the last meeting. He said there is a meeting scheduled for this Friday.

I. Planning Committee

Report

Mr. Bustos stated that they are working as hard and as fast as possible on the short term rentals. He stated that they are close.

Continued Discussion of Regulations related to Short-Term Rentals (STRs)

Staff presented more information about the last set of potential requirements for the new ordinance as they were identified during the January committee meeting. These included the following:

- STRs will be limited to a maximum of 1% of the total number of dwelling units in town
- STRs will be regulated by a spacing requirement where only one rental property can be located along an individual street segment
- More detailed building aspects to be covered as part of required safety inspections as provided by the Fire Department (e.g., fire protection, egress, electrical systems, heating systems, etc.)

Staff also pointed out that, contrary to the understanding of many members of the public, existing STRs will already be considered as lawful nonconforming uses since they were not previously regulated under the zoning ordinance. Since they were established prior to any special regulations applicable to this particular use, they will be “grandfathered” and allowed to continue as they are ultimately brought under the umbrella of this new regulatory program. Nevertheless, staff will include additional reference language to ensure that is well understood.

The committee also further discussed one member's desire to apply a portion of application fees for affordable housing efforts. Staff advised that this provision was not appropriate to include in the zoning code but would have to be done by Council as part of the larger budget process.

Based on committee discussion, staff was directed to proceed with preparation of the first full draft of the STR ordinance, along with other related ordinance amendments, for committee review in March. The ordinance will include the other aspects previously discussed such as:

- Townhouse and multifamily dwellings must be owner-occupied
- An annual inspection for building code and fire safety requirements will be included
- An owner must live in either the main dwelling or an ADU if renting out one or the other
- Additional parking will be required
- Operators will be required to pay appropriate application fees and meet business license requirements

Finally, the chairman asked staff to doublecheck various issues which had already been discussed and also suggested that long-term rentals be evaluated for coverage under the business license program.

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

Report

K. [Public Services Committee](#) (No Meeting)

Report

L. [Recreation Committee](#)

1. Approval of the 2019 Blessing of the Fleet Beneficiaries

East Cooper Land.

Mr. Santos stated that the Recreation Committee recommends to Council approval of East Cooper Land Trust and Southern Paws Animal Rescue as the 2019 Blessing of the Fleet beneficiaries.

Mr. Santos stated that he makes that in the form of a motion; seconded by Ms. Whitley. All present voted in favor.

2. Approval of Changes to Farmers Market Advisory Board bylaws (See Resolution under Council New Business Item XI.A.2)

3. Report

The Committee approved the recommended 2019 Blessing of the Fleet beneficiaries.

The Committee approved the recommended changes to the Farmers Market Advisory Board bylaws.

The Committee was given an update on participation and activities.

M. [Transportation](#)

Report

Mayor Haynie stated that everyone saw that the County has eliminated Alternative 5A that Council was receiving so many emails regarding. He said \$200,000 has been approved for the design portion of what is referred to as the interim fix, which is another southbound lane that would go from Joe Rouse Road to US 17 and can be accomplished within 18 months. He said they will not even begin to work on Highway 41 for years. He said this is underway. He stated that additionally, the Committee voted to ask Charleston County Council how much authority the Town of Mount Pleasant could be delegated to see this through. He said it is only a question

and will receive a response. He said the precedent being that the Town is the master of its own fate on Park West Boulevard which is a Town-owned road as well as Hungryneck Boulevard. He said the Town wants to find out if there is anything the Town is able to do so that we are more of a master of our fate on the Highway 41 project. He stated that they will report back to full Council what that answer is.

Mr. Cunnane asked Mayor Haynie as Chair of the Transportation Committee, they submitted basically a question to the County on that 41 issue, correct?

Mayor Haynie responded in the affirmative.

Mr. Cunnane stated that Mayor Haynie had a press availability the next morning speaking about it, so he was just wondering if anything happened between that question and the press availability where Mayor Haynie was on the radio.

Mayor Haynie stated that what he was on the radio for was about the interim lane.

Mr. Cunnane thanked the Mayor.

Mayor Haynie stated that they did not address the other question.

N. Waterworks Commission

Report

O. Water Supply Committee (No Meeting)

Report

X. ADMINISTRATOR'S REPORT

Vacancies on the Old Village Historic District Commission; Board of Zoning Appeals; Culture, Arts and Pride Commission

XI. COUNCIL BUSINESS

A. New Business

1. **First Reading:** An Ordinance to amend the Budget for the Town of Mount Pleasant, SC for the Fiscal Year commencing July 1, 2018 and ending June 30, 2019. (Ord. No. 19007)

Ms. Cotov stated that what is before Council is the amendment that the Town held the Public Hearing on. She said the expenditures are two Firefighters that will be coupled with the four Firefighters in the current budget to bring that number to six that would allow for four Firefighters per each of the existing ladder trucks. She said also for Transportation a Transit and Residential permit study, FEMA reimbursement and the transfer out based on the fund balance policy to Stormwater and Transportation. She said of the Transportation funds, \$200,000 would go towards the US Highway 41 design that was mentioned earlier in the meeting.

Proposed Amendments

FY 2019 Town Budget

	FY 2019 Budget	Mid-year Amendment	FY 2019 Amended Budget
General Fund	\$ 86,287,952	\$ 4,297,516	\$ 90,585,468
State Accommodations Tax Fund	1,896,646	-	1,896,646
Capital Asset Fund	84,288,944	3,731,998	88,020,942
Debt Service Fund	8,285,739	-	8,285,739
<i>Less Interfund Transfers</i>	<i>(22,667,563)</i>	<i>(3,731,998)</i>	<i>(26,399,561)</i>
Total of all Funds	\$ 158,091,718	\$ 4,297,516	\$ 162,389,234



Mr. O'Rourke stated that he would like to put the approval of the Fiscal Year 2019 mid-year budget in the form of a motion; seconded by Mr. Owens.

Mr. Cunnane stated that he would like to ask the Fire Chief a question.

Mayor Haynie stated that if it is apropos to this amendment, he said this is fine.

Mr. Cunnane asked Fire Chief Mixon to come forward. He stated that he would first like to thank the Chief for making the four firefighters on each ladder, but also would just ask for the Chief to explain to the Council the difference between a ladder truck and an engine, because it seems that in the course of the conversation the last few days that people assumed that every company was going to be brought up to four Firefighters, which both the Chief and he knows to be incorrect. He asked Chief Mixon to explain the difference, so everyone understands that we still have three unit engines throughout the Town.

Fire Chief Mike Mixon stated that currently the Town has six engines throughout the Town and two ladder trucks. He said the ladder trucks, as Ms. Cotov mentioned, will bring the minimum of four Firefighters staffing every day with the six additional in this mid-year budget. He said the ladder trucks have the large ladders on top where they can reach elevated stories and are also able to do forceable entry; a little bit different job than the engine company that does the firefighting. He said there are six engines currently and two ladder trucks.

Mr. Cunnane asked what the staffing on the engines are again.

Chief Mixon stated that they are staffed at four Firefighters; however, the minimum they allow is three.

Mr. Cunnane stated that in other words, a typical day, we have three on every engine, correct.

Chief Mixon stated that there are days where there will be two or three engines that will have four, but there could be a day where none of the engines have four and are staffed at three. He said it depends on the staffing for the day, vacation and sick time and things of that nature.

Mr. Cunnane stated that there is no fill in when someone is on vacation or out sick if there is a fourth man that is not there, which is the norm.

Chief Mixon responded in the affirmative and stated that the only time there is a fill-in is if they drop below that three.

Mr. Cunnane stated that in actual reality, the staffing is three on the engines.

Chief Mixon responded in the affirmative and said as a minimum.

Mayor Haynie stated that we have a motion to approve the amended budget.

All present voted in favor of the amended budget.

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

2. **Adoption:** A Resolution approving the amended Bylaws of the Mount Pleasant Farmers Market Advisory Board Bylaws. (R.19021)

Mr. Santos made a motion that the Recreation Committee recommended that we approve the proposed changes to the Farmers Market Advisory Board by-laws. He puts this in the form of a motion; seconded by Ms. Whitley.

All present voted in favor.

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

3. **First Reading:** An Ordinance authorizing the sale of an approximately 0.2 acre portion of property located on Walt Miller Street, Town of Mount Pleasant. (Ord. No. 19008)

Mr. Santos motioned to approve; seconded by Mr. Owens.

Dr. Sally Jacob stated that she is unclear as to what the Town is selling. She said when land is for sale, Housing for All Mount Pleasant has a foot in the game. She asked what it was the Town is selling.

Mr. DeMoura stated that it is a small linear piece of land adjacent to a property that the Town leases to the Armory. He said this particular piece of land and the way it is shaped would not be usable for any type of structures.

Dr. Jacob stated that at some point the Armory may be.

Mayor Haynie stated that this is not what is before Council this evening.

Dr. Jacob stated that she is concerned that the Town not sell off pieces of property which may later be part of the larger parcel.

Mr. Cunnane stated that he has a question for the Administrator. He asked if this relates to the old Fire Station that used to be there.

Mr. DeMoura responded in the negative and said that it is separated from this parcel.

Mr. Cunnane asked if it was contiguous to it at one point.

Mr. DeMoura stated that he cannot recall, and it may touch in a corner.

Mr. Cunnane asked if this is how we came to have this land – from the original Fire Station.

Mr. DeMoura stated that there has been talk that somewhere in our history, there was some connection to the old Fire Station 3, to the roadway behind. He stated that he does not recall this, but it is not to say it never existed, but that is all he knows about it.

Mr. Cunnane asked what the price of the land is.

Mr. DeMoura stated that it is \$48,000.

Mr. Cunnane stated that it sounds like the perfect amount to hire another Firefighter, being that there is a Fire Department DNA on that land – just saying.

All present voted in favor.

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

B. Old Business

There is no Council Old Business

C. Executive Session

Ms. Landing moved to adjourn into executive session; seconded by Ms. Whitley.

Mr. Cunnane stated that he has a question for Legal Counsel. On the portion that begins with “Council may take action on any item”, he asked if this indicates that Council may discuss any legal matter in this executive session.

Mr. Pagliarini stated that the only legal matters that may be discussed in executive session are those listed on the agenda announced by the Chair and approved by Council. Then, correspondingly, as required by our Supreme Court and their rules, we must provide notice to the public that Council may take action on any of the items that are properly voted on and are in executive session to discuss.

Mr. Cunnane stated that the way it is worded, he has noticed this for a long time “listed on an executive agenda”, so he thinks we need to tweak that wording for the future.

Mayor Haynie stated that 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.

All present voted in favor.

Council adjourned into executive session at 8:35 p.m.

Council reconvened at 9:11 p.m. Mayor Haynie declared that no votes and no action was taken in executive session.

1. Legal and Contractual

- a. Legal advice related to the potential acquisition of real property

Mr. O'Rourke made a motion to have legal staff negotiate a contract for the purchase of the parcel of land discussed in executive session; seconded by Mr. Bustos. All present voted in favor.

- b. Legal advice pertaining to the Park West Development, Inc. v. Town of Mount Pleasant lawsuit

Mr. Owens made a motion to authorize legal staff to negotiate a settlement offer that was discussed in executive session; seconded by Mr. Bustos. 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.

2. Personnel

- a. Consideration of Applications for the Old Village Historic District Commission

Mr. Bustos made a motion to appoint Ms. Ann Dovre to seat #1 and Mr. John Hackenberg to seat #2 on the Old Village Historic District Commission; seconded by Mr. Santos. All present were in favor.

- b. Consideration of Applications for the Board of Zoning Appeals

Ms. Landing made a motion to reappoint Mr. Bobby Carrier for the Board of Zoning Appeals; seconded by Ms. Whitley. 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, Council adjourned at 9:13 p.m.

Respectfully submitted,

Barbara Ashe

February 12, 2019