

**TOWN OF MOUNT PLEASANT, SOUTH CAROLINA
POLICE, JUDICIAL & LEGAL COMMITTEE
Monday, May 6, 2019**

Municipal Complex, Committee Meeting Room, 3rd Floor

Minutes

Members Present: Mayor Will Haynie, Chair, Gary Santos, Joe Bustos, GM Whitley

Staff Present: Eric DeMoura, Christiane Farrell, Levica Kirvin, Chief Ritchie

Also Present: David Pagliarini, Corporation Counsel

Mayor Haynie called the meeting to order at 10:15am.

1. Approval of Minutes from the April 1, 2019 meeting

Mayor Haynie asked that the minutes from April 1, 2019 meeting be approved. Mr. Santos made the motion for approval of the minutes; seconded by Mr. Bustos. Motion carried unanimously.

2. Public Comments

Janet Zimmer, 129 Cooper River Drive, stated she would like to voice her objection to the resolution urging State Lawmakers to ratify the ERA due to its intended and unintended consequences.

Karen Metzler, 428 Palm Street, stated that she objects to the ERA resolution and to the Town taking it up because of the forced elements.

Joanne Jones, 1806 Tennyson Row, stated she wanted to voice her opposition to Town Council adopting resolution in support of State passage of the Equal Rights Amendment and requested the Committee to table the resolution.

Anna Epling, 2851 Wagner Way, stated that Town Council should not deal with Partisan issues.

Roger O'Sullivan, 1551 Ben Sawyer Boulevard, stated that virtue-signaling is usually left to the individual and the Town should not be involved in virtue-signaling and he is against the ERA resolution.

Wendy Dameron, 2419 Wagner Creek Court, stated that she was surprised the ERA was being resurrected and after research wanted to urge the Committee to reject the ERA.

Steve Brock, 34 Hope Town Road, stated Robert's Rules are often ignored and sometimes misquoted and feels the minutes are important and feels public information trumps any cost but does not want to see any limitations on what is said, brought to the floor or recorded.

Barbara Fry, 28 Mobile Street, stated that she represents the Equal Means ERA Coalition and is present to support legal justice under law through passage of the Equal Rights Amendment.

Sara Jacob, 1152 Village Creek Lane, stated that she was present to comment on the minutes as she feels she is the only person to have looked at the Planning Commission minutes before today.

Barbara Griffin, 1282 Hidden Lakes Drive, stated that she is the Co-President of the League of Women Voters of the Charleston Area and they are long champions of the passage of the ERA amendment.

Janie Felsing, 960 Scotland Drive, stated that she would like to commend the Council for letting this come up at the last meeting but was disappointed in some of the things she heard about the ERA as she is in support of it.

Kathy Landing, 2114 Sewee Indian Court, stated that she was present to say the process for the ERA should be started over to be made clearer as she feels it has unintended consequences and that it is not a Town Council issue.

Lisa Buttram, 2052 Presidio Drive, stated that the ERA sounds fine and good but it more complicated issue and the Committee should not be tasked with it.

Magdelaine Schrimo, stated she wanted to ask the Committee to consider what the ERA resolution means and what it supports and how it will help society.

Stuart Kaufman, 1239 Old Course Lane, stated he would like to remind the Committee and everyone else who is within hearing distance that they are being played for suckers and does not want the Committee to say yes to the ERA.

3. Police matters

a. Employee years of service recognition

Chief Ritchie recognized Detective C. Rhett Stafford for his 5 years of service.

3. Judicial Matters

No agenda items

5. Legal matters

a. Review of proposed ordinance regarding the addition of items to Town Council agendas

Mr. Pagliarini stated that displayed was the proposed language for the amendment with the jest of it being that any council member has to request from the Committee Chairman for a matter to be placed on a Committee agenda and the Committee Chair can review it and either response in the negative or positive and only if there is a triggering mechanism can the matter go directly to Council agenda without passing through a committee.

Mr. Bustos made the motion that the Committee accept what Mr. Pagliarini has offered to change the rules of order subject to Ms. Whitley's comments to clarify. Ms. Whitley seconded the motion. In a 3 to 1 vote the motion passed. Mr. Santos was opposed.

b. Consideration of a resolution supporting the Equal Rights Amendment and SC bills H.3391 and H.3340

Ms. Whitley stated that this issue was brought to her by the League of Women Voters which is a non-partisan organization in the Town. She added that it is a simple statement of support of the concept of equal rights for women and she is in support of this.

Ms. Whitley made the motion to move this forward to full Council for Tuesday's meeting. Mr. Santos seconded the motion. With a vote of 2 in favor, one opposed (Mr. Bustos) and one abstention (Mayor Haynie) the motion passed 2-1-1.

c. Consideration of a quitclaim deed for any Town interest in Lot 19, Fulton Subdivision

Mr. Pagliarini stated that this is a minor matter in reference to a portion of land that in 2015 was granted to the Town. He added that the neighbor reviewed the title and felt there was a question as to whether the Town owns part of their private drive and this is simply a clean-up matter.

Mr. Santos made the motion to approve the quitclaim deed as described by Mr. Pagliarini. Ms. Whitley seconded the motion. All present were in favor.

d. Review of Legal Department expenditures

Mayor Haynie stated that the Town is in budget season and last month the Committee deferred voting on the budget as there is a sizable amount of money in this that involves contracts for outside services and because of the nature of it does not get the same type of review that others do. He added that several others on the Committee requested further scrutiny of this.

Mr. DeMoura presented a screen document with the numbers broken down for In-house and Contractual Counsel and summary of other fees.

e. Discussion of form of legal representation

Mayor Haynie stated that part of the discussion per the chart the Town had In-House attorneys and now the Town pays one Law Firm. He added that he wanted the Committee to look into this further and have discussion on the current contract to make sure the Town is getting the best deal.

f. Executive Session – discussion of a contractual matter

i. Discussion of contracts for legal representation

Mr. Bustos made the motion to go into Executive Session for discussion of contracts for legal representation. Mr. Santos seconded the motion. All present were in favor.

Entered into Executive Session at 11:34 am.

Reconvened at 12:01pm.

g. Post Executive Session

Mr. Bustos made the motion to recommend to full Council the consideration of changing the form of representation to general Counsel which would be for the fiscal year 2021 which begins July 1, 2020. Ms. Whitley seconded the motion. In a vote of 3 to 1 with Mr. Santos opposed, the motion passed.

6. Adjourn

There being no further business, the meeting was adjourned at 12:04pm.

Minutes submitted by:

Lori Gaskin

05/06/2019