

MOUNT PLEASANT TOWN COUNCIL

TOWN COUNCIL AGENDA

Tuesday, January 9, 2018 at 6:00 p.m.

Municipal Complex, Council Chambers

100 Ann Edwards Lane

Mount Pleasant, SC 29464

MINUTES

Mayor Haynie called the Town Council Meeting to order at 6:03 p.m.

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

I. PRAYER

The Very Reverend J. Michael Wright led Council in prayer.

II. PLEDGE

Mayor Pro Tempore, Gary Santos, led Council in the Pledge of Allegiance.

III. COMPLIANCE WITH FREEDOM OF INFORMATION ACT

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

IV. APPROVAL OF AGENDA

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

V. PUBLIC HEARINGS, AWARDS & PRESENTATIONS

A. A Public Hearing: Charleston County Community Development Department Urban Entitlement Program – As a designated Urban Entitlement community in good standing, Charleston County anticipates receiving Program Year 2018 funding from the United States Department of Housing and Urban Development (HUD) to support community development activities countywide. This Public

Hearing is being held to encourage citizen participation in the development of the PY 2018-2019 Annual Action Plan

Dr. Anna Eskridge, Program Administrator, stated that each year Charleston County receives Housing and Urban Development (HUD) funding from the federal government which are to be used across Charleston County. She said that they travel to the participating jurisdictions to discuss this funding to ensure all are aware of the funding availability. She said that they receive three types of funding from HUD: Community Development Block Grant Funding, which funds everything from Meals on Wheels to emergency housing repairs; Emergency Solutions Grant Funding, which funds homeless related activities such as rapid re-housing and shelter operations; and Home Investment Partnership Program Funding, which funds new construction and rehabilitation projects, which is intended for low to moderate income citizens. She stated that she has provided information to the Town. She said some of the accomplishments over the past year are provide in the information provided. She thanked the Town of Mount Pleasant for ensuring that these projects are accomplished. She stated that funding was provided to East Cooper Meals on Wheels and East Cooper Community Outreach. She said over the past year, both organizations have also received funding, as well as Mount Pleasant Waterworks. She said that their priorities for this year's funding are clean water, affordable housing to include new construction and rehabilitation of existing units and emergency home repairs. She stated that the application for next year's funding is available, which is due January 26, 2018 at 3:00 pm and the entire application is online. She said if you go to charlestoncounty.org and look for the Community Development Department, the Request for Applications can be found. She said that they would encourage qualified non-profits to apply for the funding. She said there is also a resource directory of different non-profits and groups that provide everything from food pantries to rental assistance. She stated that their department keeps a small amount of the funding

in-house, which runs a well and septic connection program for LMI (low to moderate income) residents.

B. Announcement of Upgrade to Town of Mount Pleasant Fire Department's Insurance Services Office (ISO) rating – Chief Mike Mixon

Deputy Chief Mike Mixon stated that in September of 2017, the Insurance Services Office (ISO) came to the Town and conducted an evaluation and on-site assessment of the Town's Public Protection Classification rating. He said in a previous report from 2014, the Town was rated a low 3. He said after this report which was received earlier, the Town moved up to a high 2, which is a significant improvement. He said that the Town is very hopeful going forward to push toward the Class 1 accredited agency. He said there are very few in the nation. He said the Town's new classification of a high 2 also assists in the reduction of insurance costs to the citizens. He said that the Fire Department is very proud of this accomplishment.

Mayor Haynie thanked the Fire Department, on behalf of Town Council and the citizens of Mount Pleasant for this accomplishment.

Mr. Owens, former Chairman of the Fire Committee said that the Town is very grateful for the work that the Fire Department has accomplished over many years. He said there is no reflection on the Fire Committee, but only to the Fire Department. He said the citizens will benefit from this rating and cannot thank the Fire Department enough.

Mr. Brimmer, current Chairman of the Fire Committee, stated that the Fire Committee and Town Council, as a whole, will do whatever possible to support the Fire Department to obtain a Level 1 rating.

C. Civic Pride Award

Nicole Harvey, Special Events Manager, stated that on an annual basis, the Cultural, Arts & Pride Commission (CAP) identifies businesses and organizations in Mount Pleasant that go above and beyond in their beautification efforts. Ms. Harvey, together with Kenda Sweet, Chair of CAP, Mayor Haynie and Town Council

members, presented Brian Piesner of Vintage Coffee Café and Coastal Crust with the 2017 Civic Pride Award for their outstanding efforts to landscape and beautify their open space, which has become an inviting outdoor area for friends and family to gather and enjoy Mount Pleasant.

Ms. Harvey and Ms. Sweet thanked Mr. Piesner and said that the Town appreciates their commitment to our community in their beautification efforts that contribute to the significant sense of pride we have in the Town of Mount Pleasant.

D. Longevity Awards

Deputy Chief, Mike Mixon, together with Mayor Haynie and Town Council recognized Chief Gerald “Mark” Karst for 25 years of Service. He said that Chief Karst has been a true example of dedication to the department, moving from the ranks of firefighter engineer, lieutenant, captain and now the rank of Battalion Chief that he has held for over 7 years. He stated that Chief Karst’s calm demeanor at any fire scene or accident allows others to know by his calmness that he is in control of the situation. He stated that he is a mentor to many of the firefighters. He said that Chief Karst was his boss for many years and considers him one of his mentors. He stated that he has served 33 years in the Air Force; 13 years active and 20 years in the reserves. He said that he is a wonderful asset to the Town of Mount Pleasant and the Mount Pleasant Fire Department.

E. Employee of the Month

Town Administrator, Eric DeMoura, along with Police Chief, Carl Ritchie, Mayor Haynie and Town Council recognized FTO LaShay Jones, for her quick action in potentially saving the life of an 85 year old woman, who had wandered from her residence and became incapacitated and found lying on the sidewalk on a very cold night. The resident was discovered by FTO Jones at approximately 4 am and was likely there for several hours before being discovered.

Mr. DeMoura stated that because of the actions of FTO Jones, she is being recognized as the Town’s Employee of the Month.

VI. APPROVAL OF [MINUTES](#) FROM THE DECEMBER 12, 2017 TOWN COUNCIL MEETING AND THE DECEMBER 2017 FINANCIAL STATEMENT.

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

VII. CORRESPONDENCE AND PUBLIC STATEMENTS

Barry Wolff, 1468 Pocahontas Street, stated that this has been said in prior meetings, that he believes that this setup is the wrong setup for Council. He said that he is in favor of how it was previously, especially for awards, because they are for the people in Chambers and Council. He said that he has spoken about clarity in the agendas. He said to hunt and find out what Item 6 means for the average lay person, he could not figure it out. He said the Town has the ability to hyperlink the agenda to what is being discussed and he would like to see the Town move forward with providing citizens with more information in the ability to hyperlink what is being discussed.

Pat Sullivan, 1002 Plantation Court, said she agrees with what Mr. Wolff just mentioned. She said that it is very difficult to read the agendas and understand what they mean. She said that when she was reading this evening's agenda, she noticed that Item #11, Consideration of Potential Growth Management Plan, and the first thing she thought was that there is a Comprehensive Plan in process and it will take time before it is completed. She would ask that Council keep this under consideration and not have this conflict or be a deterrent to the work of the Comprehensive Plan Committee.

Sean Barnes, 1418 Barbara Street, said that he would like to discuss Coleman Boulevard and the effect it is having on neighborhoods in the back. He said some we already know of because of the Thomas & Hutton study that was accomplished for the overflow of the water that will need to be repaired and paid for later on, as well as the vehicles that keep coming. He said that he has lived back there for a number of years and it has progressively gotten worse as the work continues on Coleman Boulevard. He said that if the Town goes through with

installing the medians and the parking on Coleman Boulevard, it will ruin the neighborhoods off Coleman Boulevard where he lives. He said this is not King Street, but Coleman Boulevard. He said that people are using McCants and Center Street more and more. He said he walks those streets frequently and talks to people, and they are scared. He said that someone is going to die. He said that he understands the Town is doing the best that they are able and some may believe he may be a little overboard; however, he is serious. He said the cars are flying down those roads and he does not expect the police officers to be there all the time, because there are other priorities in the Town. He said he would like to plead with Council to attempt some solution. He said if the flooding was caused by the overlay, if there was a way to take some of that funding and fix it, instead of the taxpayers.

Kevin Cunnane, 3032 River Vista Way, congratulated Deputy Chief Mike Mixon and the Fire Department on upgrading to ISO 2. He said that this is a nice accomplishment for the department to have. He said one thing he would like to clarify is that 20 years ago when he was in graduate school, the ISO was the only thing that determined an insurance rating. He said nowadays, this is not the case. He said each insurer uses their own formulas, because data is easier to gather. He asked what the success of a fire department is at the end of a day. He says he views success as having four firefighters in the corner of Town who receive a 911 call in the middle of the night and they go to a house that has a mattress fire, puts the fire out and it never spreads to the rest of the house. He said it never makes the newspaper and likely would not hear about it at Town Council. He said this is success. He said to strive for continued improvement is success. He asked if we are able to get the Fire Department to the level where the response is properly staffed and quick and no one is injured and no one's property is destroyed. He said that this is what the Fire Department needs to continue striving for.

Bill Pesature, 2259 Sandy Point Lane, stated that he is a 30 year career fireman so he would also like to discuss the ISO rating. He said that he agrees that it has problems and wants to ensure that everyone understands it. He said that he is questioning how the ratings can

improve when years ago, this department cut down their apparatus, 2 ladders and a pumper. He said that this has not set well with others in the Town, because many have discussed it. He said that the growth is numerous in the Town with new apartments, parking garages, subdivisions, multi-level homes and commercial space which have come up in the past few years. He said that the Town has not changed the number of vehicles we have in the Town. He said to take two ladders and a pumper truck out of service depleted the water delivering capabilities by over 5,500 gallons per minute. He asked if this would have made a difference at the Hamlin fire, where the house was completely lost. He said reducing apparatus numbers, equipment resources, water delivery capabilities, to increase the manning by two additional people is not a good tradeoff, not for his house. He said that ladder trucks now have delayed arrival times, since there are only two; one at Station #3 and one at Station #5. He said the middle of the Town does not have ladder protection. He said ladder trucks responding to incidents are not being utilized for the function officially of rescue, elevated master stream, room access, ventilation, for the simple fact that they cannot get to the front of the building, because other vehicles have taken over those positions and have not left the position open for them, which they should be doing. He said the Fire Department relies heavily on other jurisdictions to backfill their stations, which is not a guarantee, but a request, because we do not have automatic aid. He said we rely on the other jurisdictions to backfill the Town's stations to assist in suppression activities when the Town responds to single structure fires. He said that Council needs to start doing something about the Fire Department in this Town. He said we are growing and would like to see the Fire Department grow with it. He said the Town has expanded to Bull's Bay and other places, so the Fire Department must also expand.

VIII. PLANNING – Mr. Ulma

[Planning Committee Minutes](#)

[Planning Commission Minutes](#)

A. NEW BUSINESS

1. **First Reading:** An Ordinance providing for the annexation of an approximately 1.83 acre tract of land located at 1500 Clubhouse Lane in Raven's Run Phase I Subdivision, identified by TMS No. 561-01-00-095 depicted on a plat recorded by the Charleston County ROD Office in Plat Book BM, Page 022. (Ord. No. 18001)

Mr. Ulma stated that the first three items are related and address an annexation, a land use plan amendment and zoning on a 1.83 acre parcel in Raven's Run subdivision. He said the property is known as the site where an airplane hangar has existed. He said the request is to allow the property owners to build one single family home and the Raven's Run Homeowners Association has amended their bylaws to allow this to take place. He said the existing land use plan reflects the open space that is there within the subdivision as it exists today; therefore, the plan amendment would be to change this to residential. He said the cross hatch properties have not yet been annexed into the Town and this would be added. He said the initial Town zoning would be R1 Low Density Residential District and the land use plan change would be from Recreation Open Space to Low Density Neighborhood.

Mr. Bustos moved for first reading of the annexation; seconded by Mr. O'Rourke. All present voted in favor.

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

2. **First Reading:** An Ordinance to amend the Comprehensive Plan 2009-2019 (2014 Update) Future Land Use Map by changing the land use designation from Recreation Open Space to Low Density Neighborhood for an approximately 1.83 acre tract of land located at 1500 Clubhouse Lane in Raven's Run Phase I Subdivision, identified by TMS No. 561-01-00-095 and depicted in a plat recorded by the Charleston County ROD Office in Plat Book BM, Page 022. (Ord. No. 18002)

Mr. Bustos moved for first reading for the amendment to the Comprehensive Plan from Recreation Open Space to Low Density Neighborhood; seconded by Mr. Brimmer.

Mr. Santos asked how many houses are able to be built on this piece of property with R1 zoning.

Mr. Ulma stated that the 1.83 acre property with 12,500 sf minimum lot size might suggest that multiple lots could be put in; however, it would require going through the Town's subdivision process and/or meet the requirements of the Homeowners Association. He said the intent is to have one single family home.

Mr. Santos asked how many homes could be built.

Mr. Ulma said theoretically, three.

Mr. Santos stated that this is one of the issues he is having with this. He said that they may only want one now, but in five years, they may move out and then there will be multiple residences there. He said another issue he has is changing the Comprehensive Plan. He said the forum is currently in process and he is not willing to change the Comprehensive Plan at this time until the Comprehensive Plan Committee has finished their work. He said that he will not be supporting this item.

Mr. Bustos stated that the reason he recommended approval is because it is in a neighborhood that is gated and cannot be utilized by just anyone. He said that the Town has also been attempting to eradicate the donut holes of which there are many in this neighborhood. He said the trade-off between having three houses versus getting rid of the donut holes, getting this into the Town for the tax base, since this is not a recreational space available for all the Town, there is no downside.

Ms. Landing said that she has a close friend who lives right across from this property and said it is an eyesore and the neighborhood dislikes it. She said there is no question that Council would like to stay true to the Comprehensive Plan to ensure that it is a major part of the decision making process in the Town. She said in this

case, it is an unusual situation where it benefits this neighborhood to rid them of this eyesore and have a nice home there instead.

Mr. Owens asked if the applicant is present. He asked if there is an opportunity to put a deed restriction on the property for one home site only.

Julie O'Connor, 50 Eastlake Road, stated that she is the designer on this project and her clients, Doreen and Giulio Ronchi are present as well. She said that they have been working with the HOA on this project and Charleston County had already changed the zoning for this lot to R4; therefore, it is a residential lot at this time. She said the HOA is as highly opposed to this lot being subdivided and would not allow this to take place. She said they have approved the change of zoning and want this property to annex in, because most of the neighborhood has annexed into the Town.

Mr. Owens stated that he was curious as to whether the homeowners would deed restrict this to one home site only.

Ms. O'Connor stated that she is not a lawyer so she is not sure. She said that she does know that the property owners purchased this property to have a single family home and subdividing would be difficult due to access issues and certainly not anything that they are interested in doing, nor is the HOA interested in having this done.

Mr. Owens stated that the zoning goes with the property and as the property changes hands over the years, things can happen, which is why he is asking about the deed restriction, which would provide some of the members of Council some reassurance.

Ms. O'Connor stated that she would be happy to have the homeowner speak.

Giulio Ronchi, 11 Krier Lane, stated that their intention is to build one home only and read the documents that precedes them. He spoke with the previous owners and they tried to do several things and subdivide the property, but the latest iteration of the

documents is that there is no way to subdivide the property unless the HOA approves it. He said in the past the HOA has granted access to the property for the clubhouse with the understanding that this lot could not be subdivided. He said that he is not a lawyer so he cannot cite the details, but this is what he read when he wanted to purchase the lot. He said their intent is to build one house only. He said they foster children and want more space than their home at l'On offers.

Mr. Owens stated that he can support first reading if Mr. Ronchi will consider discussing with his legal counsel, a deed restriction and bring back to Council for final reading.

Mr. Ronchi stated that he would involve his attorney, because he is not an expert.

Ms. Landing, Mr. O'Rourke, Mr. Owens, Ms. Whitley, Mr. Brimmer and Mr. Bustos were in favor. Mr. Santos and Mayor Haynie were opposed. Motion carries 6-2.

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

- 3. First Reading:** An Ordinance to zone R-1, Low Density Residential District, an approximately 1.83 acre tract of land located at 1500 Clubhouse Lane in Raven's Run Phase I Subdivision, identified by TMS No. 561-00-00-095, depicted on a plat recorded by the Charleston County ROD Office in Plat Book BM, Page 022. (Ord. No. 18003)

Ms. Landing motioned to approve an ordinance to zone R-1, Low Density Residential District, an approximately 1.83 acre tract of land located at 1500 Clubhouse Lane in Raven's Run; seconded by Mr. Bustos.

Mr. Santos and Mayor Haynie were opposed. All others present voted in favor. Motion carries 6-2.

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

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

Mr. Ulma stated that this is a request to rezone approximately 7 acres of land from CC, Community Conservation District, to R-2, Low Density Residential District. He said that it is located on the south side of Rifle Range Road across from Maple Hill Court and is adjacent to Seaside Farms. He said there is a County subdivision in the immediate vicinity. He said the future land use designation limits the development to three units to one acre and the requested district is one that lines up with the Comprehensive Plan and the density of three units per acre would apply in this case and any of the other residential districts that may be requested under low density residential. He stated that the existing zoning is Community Conservation which allows lots of 12,500 sf or more and the property across is already zoned R1. He stated that R-2 has a minimum lot size of 8,000 sf. He stated that the applicant explained to the Planning Commission that the requested district would allow flexibility with their lot sizes, which would allow them to provide a subdivision street for access as well as work to preserve more trees and natural area on the site. He said that the Planning Commission provided no recommendation due to a 3-3 tie and the Planning Committee ended with a 2-2 vote. He stated that a particular concern from the Committee was a question about the impact of the access easement that runs along the common property line for this property being rezoned to the subdivision next door. He said there is a private ingress/egress access across the lots and they are not located on the property being requested for rezoning. He said that over the years, the residents in the subdivision have been creating a path or access that may cross the Wilson property, but technically, their easement for access to all of the

lots is on the private easement. He said this was a concern for the Committee and staff provided additional information to clarify it.

David Rowland, 1420 Page Tree Road, said that he lives on the small area that is being discussed. He said he heard a discrepancy that none of that property was on the road, which is not correct. He stated that the pin that separates the property that is going to be developed is in the center of the road that he has been using. He said that he would like Council to know that they express a willingness to work with the developers and do not have an issue with the R2 zoning. He said their issue is that when the homes are developed, when looking at the beginning of the road, when you get to the end of the road, the property is further over (towards their property). He said if someone put down the property line, he would not be able to get to their property. He said they would not have access in at Rifle Range Road. He said he realized that it was on someone else's property, but they have been accessing their property this way for over 40 years. He said that most of their issues are at the front of the road where the peg is located and at the very end of the road. He said they are willing to agree to the R2 zoning, with the contingency that the developers provide them with a letter stating that they will have access to that road as it exists. He said that it appears that the developers are willing to do so.

Mayor Haynie asked Legal Counsel if it was proper for Town Council to do a zoning this way, with a condition.

Mr. Pagliarini responded in the negative and stated that Council cannot condition the zoning on a private matter or any condition in this case, specifically with a private issue.

Mayor Haynie addressed Mr. Rowland and asked if this is the concern and if this would adequately address those concerns that any of the neighbors may have.

Mr. Rowland responded in the affirmative.

Rhett Reidenbach, 26 Morgan Place Drive, IOP, stated that he is a licensed professional civil engineer and works for the Revere Group, located in North Charleston, representing the purchaser of this tract of land. He said that he would like to confirm that what Mr. Rowland conveyed to Council this evening is what the purchaser of the property is committed to do. He said that they have already engaged with the survey group to locate the road and are willing to create an easement that will define the ingress/egress into the site as it lays on this particular tract of land. He said to preserve their means of ingress/egress, in perpetuity, they will have it recorded at the RMC office and clear it up so there is no threat to the residents on Page Tree Road that the access road will go away.

Mayor Haynie directed his question to Mr. Roland and asked if the neighborhood was concerned about that property going from Community Conservation to R2.

Mr. Rowland reiterated that their biggest issue is when the properties are sold in the future, that they will come home and there will be a fence in the middle of their road. He said he does not have an issue of zoning it to R2. He was told that there would be 21 houses on the property. He said if they receive the document as stated by Mr. Reidenbach, they are fine.

Mr. Bustos suggested that this item be deferred and come back to the Planning Committee and if they have the document in hand, then the Planning Committee can come up with a recommendation to full Council. He said that he would be reluctant to do this before this is in hand.

Mayor Haynie asked if it would be possible to approve first reading this evening and have that information by second reading. He asked if the timetable would be sufficient.

Mr. Santos asked to defer to Legal Counsel.

Mr. Pagliarini stated that he would reiterate that this cannot be conditioned. He said how Council votes is up to the will of Council, but in the motion, it cannot be a condition.

Ms. Whitley stated that this was reviewed in the Planning Committee and this rezoning from Community Conservation, which is three units per acre, just with a larger lot size, and moving to R2, would still be three units per acre, just with a smaller lot size. She asked why they need the rezoning.

Mr. Ulma stated that the small lot sizes and setbacks allow them to be able to place the lot and configure the layout to be able to provide for streets and easements, stormwater retention, etc. He said with larger lots, you would not achieve the maximum. He said this would give them the opportunity to provide more, but would be doing so with open space and common areas, as well as protecting more trees for the development, rather than having them on individual lots.

Ms. Whitley stated that leaving the property as Community Conservation, could potentially mean less houses.

Mr. Ulma stated that it could. He said that they have not seen the layout.

Mr. Bustos made a motion to defer this back to the Planning Committee; seconded by Mr. Santos.

Mr. Brimmer said that since this vote is unable to contain conditions, he is not entirely clear what the Committee's work will be, because this agreement is between two private parties and does not involve the Town of Mount Pleasant, what would be accomplished with Committee.

Mr. Bustos said that it is up to the two private parties, but he is asking for it to be deferred to the Committee with no condition. He said that if it comes back to Committee with this problem identified, then Committee will not be able to come up with a recommendation. He said what the two parties accomplish is between them.

Mr. Brimmer asked what the Committee's work would be.

Mr. Bustos said it would be to review this item again. He said in light of the new information regarding the lots extending into the street.

Mr. Brimmer stated that personally, the only issue for him is regarding the lot sizes. He said that this is what the Town is able to control. He said that he does not see a need for this to go back to the Committee for review.

Mr. Owens directed his question to Mr. Reidenbach asking if the ingress/egress that is currently there is an adequate width, and if it is a County ingress/egress.

Mr. Reidenbach responded in the affirmative. He stated that Mr. Ulma's earlier exhibits indicated where it is platted, which is a fifteen foot ingress/egress which is in the unincorporated area of Charleston County. He said that after the actual road is surveyed in place, they will be required to create an easement, abandon portions of what is already there, and create a new easement that encroaches on to the property in question. He stated that it will also need to meet the requirements of Charleston County. He stated under the R2 zoning, the smaller lots will provide them with an opportunity to have a variable mix of sizes of lots, preserve trees, create open space where there are trees and allows more flexibility to design a pond and be more thoughtful in the product that is going to be subdivided in the masterplan.

Mr. O'Rourke said that the work of the Committee is to come to full Council with a recommendation, which they were unable to do, because of various issues, one being the road. He said that some felt very strongly that the residents who live in that area need to be assured that they have a way in and out of the subdivision. He said if we vote on it this evening, we are only hoping they do what they promise. He said that it may make the recommendation more favorable at the next Committee meeting if the developer attends and presents the documentation

required. He said that this is a matter of the Committee coming out stronger with a recommendation, because they were unable to provide one.

Ms. Whitley said Mr. Reidenbach stated that with the larger lot size, community conservation would come with larger homes. She asked if there was a change in the percentage of lot coverage from Community Conservation to R2, such as 40% versus 50% versus 60% lot coverage. She said she cannot understand why they are not able to move forward with development with the current zoning they have now.

Ms. Farrell stated that the lot coverage is greater with R2 zoning.

Ms. Whitley asked if R2 would provide an opportunity to maximize three units per acre and increase the coverage, which would impact drainage for that property and the neighboring properties by moving from Community Conservation to R2.

Mr. Ulma said that they would have to address this at the subdivision process, taking care of necessary drainage requirements and other requirements.

Mr. Owens stated that he agrees with Mr. Bustos and believes that this item needs to go back to Committee, have full details prepared and submitted so that it can be reviewed and submitted to full Council.

Mr. Brimmer asked Mr. Reidenbach if a tree survey has been done on this property, and if he had any idea how many historic or significant trees were on the property.

Mr. Reidenbach said a survey has not been done yet and said he has walked the property and believes there are significant trees, particularly in the front on Rifle Range, which will make a very dramatic entrance into the neighborhood that they will preserve; however, he does not have a count. He said they represent a local real estate investor whose mentality is to take things one step at a time. He said they would like to get it rezoned so they have the flexibility to have smaller lots, should this be beneficial for

greenspace, trees, drainage, the entrance into the development, invest in the tree survey, lay out the subdivision, go through Planning Commission, work with the public on a proper project that the Town may accept. He said that they do not have all the due diligence on the site, which is why they do not have a conceptual site plan.

Mr. Brimmer stated that the reason he asked is because one of the justifications for changing the zoning is to work around trees and wants to make sure there are enough trees to work around, rather than just getting smaller lot sizes. He asked if more information on the trees could be provided if this is deferred to Committee, in order to help him understand the significance of why those smaller lots are necessary, because there is no other R2 in this area. He said that they are asking for something that is an exception.

Mr. Reidenbach said that the PDD for Seaside Farm actually allows for smaller lots than R2 which is the adjoining property to the site. He said that he believes it is within the character of the area and provides more flexibility in the overall layout and a more diverse product for people to purchase.

Ms. Whitley said if they stay with Community Conservation, they will still need to provide ingress to the property and drainage, but will mean that they will not be able to maximize the number of homes that are placed on the property. She said moving it to R2 would essentially allow them to maximize the development within the zoning.

Mr. Reidenbach stated that the Community Conservation zoning will allow them to meet their maximum should the property physically allow it.

All present voted in favor to defer back to the Planning Committee.

5. **First Reading:** An Ordinance to amend approximately 12.3 acres of the Dunes West PD, Planned Development District Ordinance, by rezoning from R-1, Low Density Residential District, to DW-C-R-1, Dunes West Covington R-1 on Bessemer Road, identified by TMS Nos. 583-00-00-003 and 583-03-00-254 through -261, -263, and -265 through -281, and depicted on a plat recorded in the Charleston County ROD Office in Plat Book L17, Page 0033. (Ord. No. 18005)

Mr. Ulma stated that this is a rezoning request for approximately 12 acres of land outside the boundaries of the existing Dunes West Planned Development District, known as the Covington Subdivision, which is currently under development. He said the request is to add this to the PD and designate it as Dunes West Covington R-1, so it provides a reference point. He said it reflects the R-1 zoning district with changes to the setbacks, different from the R-1, and would not increase the total number of lots allowed under the Dunes West PD. He said units that are already approved would be shifted to this property from the entire allotment. He said the property is off Bessemer Road, and the adjoining tract is included as well. The subdivision's entrance is Brightwood, which is part of Dunes West PD and has an R-3 designation. He said this request maintains the minimum lot size of 10,000 sf but it would reduce the front and rear setbacks from the existing 30 feet R-1 requirement, down to 15 feet. He said that the applicant has also proposed to exclude accessory dwelling units from this unique zoning district within Dunes West.

Ms. Whitley stated that at the Planning Committee meeting, Mr. Brimmer raised the point that there are some houses that have been approved under planned developments that will never actually be built, because there is no land left to build them. She said that when it is stated that this is taking away from the total number of Dunes West housing development, is it taking away from the total number.

Mr. Ulma said that there are approximately 75 lots left in the Dunes West approval at this time, which has been adjusted. He stated that an area that may be designated for 200 homes may have only built 100. He stated that he believes staff's numbers are accurate.

Ms. Landing stated that she drives by the development on a regular basis and there are a number of homes that are under development and some that have been completed and are occupied. She said for clarity, what they are asking is not to make a significant change but want to have this included in the Dunes West Subdivision category, because it will allow them to take advantage of amenities such as the pool, tennis, etc. She said there are no additional homes that anyone is asking to be built. She said the setback request is to be able to have more diversity in the way the homes are laid out on the property and the style. She added that this is a beautiful subdivision.

Mr. Brimmer stated that this subdivision is part of the Dunes West PD, but is actually going to be a part of Park West amenity association. He said that the request is not going to ruin the neighborhood; however, he is not going to support this request because there are legitimate reasons to change zoning on property, but Council spent over a year hashing out zoning districts in Park West and Dunes West. He said that a lot of thought went into this, as well as staff work and now we are attempting to create a new zoning classification and the reason appears to be a builder convenience. He stated that he does not wish to start changing zoning for convenience sake. He said although it is not a horrendous request, from a principal standpoint, he does not want to get into a situation of zoning changes to make the property more sellable or easier for builders.

Mr. Bustos said that this was one item they struggled with in the Planning Committee. He stated that he believes more work needs to be done and Mr. Brimmer makes valid points, as does Ms. Landing. He said he misunderstood that this was coming out of

Dunes West and going to Park West and believes this would be another item better deferred back to the Planning Committee. He said these are complex issues, and Council needs to make sure everything is in order.

Mr. Bustos made a motion to send this item back to the Planning Committee; seconded by Mr. Santos.

Ms. Landing stated that her understanding from the developers is that they simply wanted to conform and be a part of the Dunes West development codes, which includes the fact that they are giving up the accessory dwellings, which are not allowed under the Dunes West covenants.

Mayor Haynie stated that there are a number of questions regarding this item and the motion and second is to defer. He added that he would be in favor of this and strongly advises Council to defer for other reasons than the specifics of this item.

Mr. Santos stated that ever since the Town has had the issue with the Old Village and the larger houses that are being built on the lots, he noticed that the setbacks are going to change from 30 feet to 15 feet, which indicates to him that the house will be larger. He asked what the percentage of coverage will be. He said he would like this question addressed if this goes back to the Planning Committee.

Mr. Brimmer stated that for clarification, this is the Dunes West PD (planned development), but this PD covers Dunes West Development and the Park West Development. He said that it is all included and when it says the zoning is DW, Dunes West, this is only the zoning classification; however, the subdivision is Park West.

All present voted for deferral to the Planning Committee.

- 6. First Reading:** An Ordinance to amend the l'On PD, Planned Development District Ordinance (Ord. No. 97010) by amending the text pertaining to the section "Neighborhood Standards," which includes Yard, Porches, Outbuildings and Building Types.

This request affects various properties located throughout the approximately 243-acre area comprising the I'On Development. (Ord. No. 18006)

Mayor Haynie stated that he believes correspondence was received requesting that this item be deferred.

Mr. Santos made a motion to defer; seconded by Mr. Owens. All present voted in favor.

7. Executive Session to receive legal advice on any issue related to the possible amendment of the I'On Planned Development.

Mayor Haynie stated that this item is no longer necessary, so there is no action on items #7 and #8.

8. Post Executive Session

Council may take action on any item listed on an executive session during a properly noticed meeting

9. **First Reading:** An Ordinance providing for the annexation of an approximately 0.69 acre tract of land located at 448 Gurley Street, identified by TMS No. 556-00-00-04 and depicted on a plat recorded by the Charleston County ROD Office in Plat Book T96, Page 0168. (Ord. No. 18007)

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

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

10. **First Reading:** An Ordinance providing for the annexation of an approximately 0.64 acre tract of land located at 449 Gurley Street, identified by TMS No. 556-00-00-314 and depicted on a plat recorded by the Charleston County ROD Office in Plat Book BB, Page 067. (Ord. No. 18008)

Mr. Bustos made a motion for approval of first reading; seconded by Mr. Owens. All present voted in favor.

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

11. Consideration of potential Growth Management Plan

Mayor Haynie stated that this item will be discussed at the Town Council Retreat; however, it was an item coming out of the Planning Committee.

Mr. Bustos stated that it was the feeling of the Committee that this be added to the Town Council Retreat agenda.

Mayor Haynie stated that the Council Retreat is scheduled for January 31st and begins at 8:45 am and is an all-day meeting.

12. Annual report on Development Agreements

Mr. Ulma stated that State law and the Town's zoning code require the zoning administrator to prepare a report for Council annually on the status of activities within Development Agreements and there are two to report to Council for 2017, which are the only two remaining development agreements the Town has. He said Carolina Park is working on Faison Road where there are requirements for improvements to that road such as signalization and are not required to provide this until further into the development. He said that they are proposing to do some of this work in conjunction with upcoming development there. Liberty Hill Farms is the other and they have requirements to address open space, additional trails and various transportation improvements. He said that these are all being addressed as part of sketch plan review and ultimately will be addressed at final plat review.

Mr. Bustos said for Carolina Park, Faison Road, within 90 days after issuance of Certificates of Occupancy, which is when the traffic improvements are going to be made.

Mr. Ulma responded in the affirmative and said after the 600,000 square feet is in place. He said that they have not developed that much commercial at this time.

Mr. Bustos stated that traffic at US Highway 17 and Faison Road and Park Avenue and Faison Road, because of the two high

schools, is a mess. He said that he believes there are a number of young drivers, as well as older drivers and when the developer received their permit, they were going to begin working on this issue. He said that we are behind now and need to approach the developers of Carolina Park and have them address Faison Road and Highway 17. He said too many drivers, including inexperienced high school students, have too many close calls and he does not know what can be done; however, this needs to be addressed as soon as possible.

Mr. Ulma stated that Mr. Morrison advised him that some of the improvements at US 17 would be the first ones to be addressed, even in advance of the requirement in the development agreement.

Mr. DeMoura stated that the mast arms for the light at that intersection are on order and will be installed once they arrive.

Mr. Morrison responded in the affirmative. He said when discussing with the developer, it was his understanding that they have already asked their site contractor to install the signal at US 17 and Faison. He said we should see work starting very soon.

Mayor Haynie asked how far the developers are from the 600,000 square foot threshold.

Mr. DeMoura stated that they are a long way away.

Mayor Haynie asked staff to follow up and provide Council with an update to know when the mast arms are going up. He asked if the approvals are in place.

Mr. Morrison stated that they have already met the warrants and have the permits and were waiting for the land disturbance to occur, which was the trigger for DOT (Department of Transportation), to permit them to install the signal, and allow them to turn the signal on prior to the start of the development.

B. OLD BUSINESS

1. **Final Reading:** An Ordinance providing for an amendment to the Oakland Plantation PD, Planned Development District Ordinance (No. 04104), and subsequent amendments, pertaining to an approximately 0.60 acre tract of land located adjacent to Highway 17 North across from George Browder Boulevard, identified by portions of TMS Nos. 600-00-00-074 and 600-00-00-067, providing for the installation of a multi-use path in the natural roadside bufferyard. (Ord. No. 17062)

Mr. Brimmer moved for approval of final reading; seconded by Mr. Owens. All present voted in favor.

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

2. **Final Reading:** An Ordinance providing for the annexation of an approximately 1.00 acre tract of land located on Jack Leland Drive/Stratton Place identified by TMS no. 614-00-00-006 and depicted on a plat recorded by the Charleston County RMC Office in Plat Book J, Page 100. (Ord. No. 17063)

Mr. Bustos moved for approval of the annexation of the one acre; seconded by Mr. Brimmer. All present voted in favor.

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

IX. COMMITTEE REPORTS

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

Report

B. [Bids & Purchases Committee](#)

1. Procurement Code updates (See Council New Business Item XI.A.1.)

2. Report

The Committee unanimously approved the following recommendations:

- The updates to Mount Pleasant's Procurement Code for Council's consideration under New Business.
- Approval to contract with Hughes Motors, Inc., in the amount of \$630,729.40 to purchase two (2) residential garbage refuse packer trucks and one (1) spare automated arm assembly and one (1) spare gripper assembly sub assembly.
- Approval to contract with MedPro Systems, LLC, doing business as MPS in the amount of \$139,314.00 to perform the G.M. Darby Building ADA upgrades and interior renovations.
- Approval to contract with Utility Asset Management, Inc., in the amount of \$190,527.00 to perform the Whipple Road ditch rehabilitation services.
- Approval of a change order to the existing contract with Woolpert, Inc., in the amount of \$200,991.00 to provide additional consulting services including the purchase and installation of monitoring station equipment, operation and maintenance activities, sampling, project management and a summary.
- The rejection of all bids for the construction of the Whipple Road Tennis Center Clay Court due to budget constraints.

C. [Economic Development Committee](#)

Alan Bolduc of Avison Young and former chairman of the Town's Economic Development Advisory Board shared insights regarding economic development and the Town's history. Committee discussed the need to continue this conversation with our economic development allies.

D. Education Committee

Ms. Whitley stated that Anna Dassing, principal of Lucy Beckham High School, made a presentation on the status of the high school and its buildout. She said they also discussed the Town potentially investing in enhancements to the Performing Arts Center at the high school in conjunction with the Use Agreement for the Town. She said they are currently awaiting a full quote for the upgrades that would be accomplished to turn it from a high school auditorium into something more professional that would be a great place for everyone in the community to enjoy.

E. Finance Committee (No Meeting)

Report

F. Fire Committee

TYPE	NUMBER OF CALLS
Fires	23
Medical	429
Other	258
TOTAL	710

Mr. Brimmer stated that Chief Williams provided an overview of the Fire Department to include organizational structure, services provided, daily staffing and calls for service for 2016 / 2017. He said they also had a discussion regarding inter-agency agreement with the Awendaw Fire District and those conversations will move forward with the appropriate County staff, as well. He said that the big news towards the end of the meeting was the announcement of Fire Chief Herb Williams' retirement after 32 years of service to the

Town of Mount Pleasant, twelve of those years as the Town's Fire Chief. He stated that Chief Williams will retire in June, 2018. He said that Council appreciates his service and will miss him at the Town.

G. [Human Resources](#)

Ms. Landing stated that the Committee met for the first time since June, 2017 to discuss the following:

1. Approval of Proposed Information Technology Regulations (See Council New Business Item XI.A.2.)
2. Report

H. Patriots Point Development Authority

Report

I. [Planning Committee](#)

Progress report & schedule for amendments to Tree Protection & Bufferyard regulations.

Staff outlined a schedule for preparing ordinance language, which involve the Planning Commission in January & February, review by the Planning Committee and Council in March, with the opportunity to adopt the requirements at the second reading of the ordinance in April.

Workforce Housing Committee Progress Report

The work of the committee to officially form the nonprofit corporation was described. Due to the need for specialized legal advice to prepare the necessary tax documents, the committee requested that Council provide additional funding (no more than \$7500), and staff advised that this was being discussed. The committee recommended that the issue of affordable workforce housing should be discussed by the full Council at a future retreat. Mr. Bustos stated that he would like to request that this be put on the agenda for the Council Retreat.

Progress report on Comprehensive Plan update

Planning staff reported that the Plan Forum held their second meeting on December 5, 2017. The group was briefed by the Town's Chief Financial Officer (CFO) and the General Manager of Mount Pleasant Waterworks. They also reviewed input received from the public, and four subcommittees have been created to work on goals & objectives for different themes/topic areas. Since then, the new Plan Forum members have also been oriented and they are participating on subcommittees as well. The next opportunity for community input is the Open House scheduled for January 30.

J. Police, Legal & Judicial Committee

1. Proposed ordinance related to the registration of lobbyists (See Council New Business Item XI.A.3)
2. Report

K. Public Services Committee

The Committee approved the minutes from the December 4, 2017 meeting.

Mr. Peele recognized Ms. Tyesha Richardson for 15 years of service to the Town.

There was one presentation given at the Public Services Committee meeting entitled "Year to Date Review of Public Services Operations", and it provided an overview of the Public Services Departments activities during Calendar Year 2017, a look ahead at Calendar Year 2018, and potential points that may be raised during the Fiscal Year 2019 budget discussions.

Mr. Owens stated that he would like to add that the Public Services Department did an outstanding job in all the weather related issues

that the Town had and are grateful to the Public Services Department.

L. [Recreation Committee](#)

The Committee recognized Recreation employee, Garrett Heatherington for five years of service with the Town.

The Committee reviewed the conceptual plan for Memorial Waterfront Park Phase II and directed staff to study the feasibility of incorporating a dog park and a water feature to the existing plan.

The Committee discussed future improvements to Carolina Park Recreation Complex and Mugsy Kerr/Whipple Road Tennis Complex.

Activity Report

- Friday, December 8 – The Columbia Marionettes performed “Santa’s Christmas Party” at the Darby Building. There were 219 attendees. A second show was added with 51 attendees.
- Saturday, December 9 – The Holiday Market and Craft Show was held at the Farmers Market Pavilion. There were approximately 4,000-5,000 attendees.
- Sunday, December 10 – The Christmas Light Parade was held on Coleman Boulevard. There were approximately 20,000-22,000 participants and spectators.
- Tuesday, December 12 – A Visit with Santa was held at the Darby Building with approximately 75-80 attendees. The children had their picture made with Santa Clause and an Elf. There was a jump castle, games, refreshments, face painting and a visit by the Fire Department along with their truck.
- Tuesday, December 12 – The annual Therapeutic Recreation Christmas Party was held at Alhambra Hall. There were approximately 100 participants. The 2017 Volunteer of the Year was Ansley Pridemore and the Special Olympics Award was

presented to Ashlyn Knight. The event is a celebration of Unified Sports and Therapeutic Recreation.

- Thursday, December 14 – A Volunteer Appreciation Dinner with approximately 200 people in attendance was held at Alhambra Hall to recognize the contributions of MPRD volunteers throughout the year. Volunteer of the Year Awards were given to Adam Johnson (Athletics), Bill Moss (Programs-Senior Center), and Jennifer Magwood Ray (Special Events).
- Friday, December 15 – The Puppet Playhouse performed “Holiday Puppet Sing-a-long” at the Darby Building. There were 160 attendees.
- Tuesday, December 19 – A Visit with Santa was held at Park West. The children visited with Santa Clause and an Elf and participated in various activities. There were approximately 120 children and adults in attendance.
- For the month of December MPRD offered 189 swim lessons.
- For the month of December 158 youth and 276 adults participated in Athletic Programs.
- Senior Center current membership is 2221.
- Tennis Center current membership is 888.

M. [Transportation](#)

Mayor Haynie stated that the Committee discussed Coleman Boulevard and had a lengthy conversation on this, as well as in Executive Session. He said that Committee decided to add this to the Town Council Retreat Agenda. He said that it is time for Council to make decisions and move forward. He said they also addressed issues regarding adding new street signs in the Old Village. He said that the obelisks will stay and they will obtain more information and decisions to make.

N. Waterworks Commission

Report

O. Water Supply Committee (No Meeting)

Report

X. ADMINISTRATOR'S REPORT

One "At Large" vacancy on the Accommodations Tax Advisory Committee

XI. COUNCIL BUSINESS

A. New Business

1. **First Reading:** An Ordinance to repeal and replace Chapter 38: Procurement Code of the Mount Pleasant Code of Ordinances. (Ord. No. 18010)

Mr. Owens made a motion to approve, based on the Committee Report; seconded by Mr. Santos. All present voted in favor.

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

2. **Adoption:** A Resolution to establish Information Technology Regulations and incorporate prior Resolution Number 10031. (R.18011)

Mr. Santos moved to approve; seconded by Ms. Landing. 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 to create Chapter 44: Lobbyists (Ord. No. 18009)

Mr. Santos made a motion to approve; seconded by Mr. Owens.

Mr. Bustos asked if this ordinance requires lobbyists to register with the Town.

Mr. Santos responded in the affirmative.

Kevin Cunnane, 3032 River Vista Way, said that he believes it is a good idea. He said what was missed was trying to get lobbyists to register, because they could be a lobbyist from all 50 states or another country. He said we are attempting to attack this through them, when in reality, there are nine elected officials and paid officials (employees), of the Town that are the targets of the lobbyists. He asked why not put the onus on them, which is a smaller pool of individuals and its accountability to the public. He said to him it seems easier to regulate those ten or twelve people, as opposed to regulating every potential lobbyist. He said that it is a good idea, but it is being approached backwards.

Mr. Santos stated that the Code of Conduct Ordinance addresses many of those issues as they relate to Council Members.

All present voted in favor.

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

4. Discussion and possible action to move the March 13, 2018 Town Council meeting to an off-site location

Mayor Haynie stated that he asked for this to be placed on the agenda. He said that he would like for this meeting to be held at the north area of Town and make this a regular practice. He said it is required to do this by action of Council. He asked if Council needs to announce where their meeting will be held.

Mr. Santos said that previously Town Council would meet at Wando's Performing Arts building. He said that it is a large auditorium and they would have a large crowd. He said that the Town contributed \$600,000 for that auditorium to be built and feels it is a perfect place.

Mayor Haynie said that Wando is a possibility, but also the Park West Recreation facility is another. He asked if Wando is available.

The Clerk of Council stated that she is not sure if Wando is available; however, Park West Recreation facility is.

Mayor Haynie stated that it may be a good idea to hold the meeting at Wando High School, as we consider Lucy Beckham High School participating and upgrading an auditorium there. He said this may be a good chance to see what was done in the past. He said that he would entertain a motion to hold the March 18th meeting at the Wando Auditorium and if for some reason we are not able to hold it there, he would like to suggest the Park West Recreation facility as a backup.

Mr. Brimmer made a motion as stated by Mayor Haynie; seconded by Mr. Santos.

Mr. O'Rourke said that this is a really good idea and rather than only having the Mayor bring up an off-site meeting in March, perhaps this is something else to discuss at the Council Retreat, about annually selecting various locations in the Town and have two or three meetings, then select the months so that the public is aware that every March, it will be held at a certain location, in July, another location, etc. He said perhaps there is an official stand year by year to look at this. He said he is not against it, but perhaps it is something that can be discussed to make this more official.

Mayor Haynie stated that at the Council Retreat, Council may vote on another meeting or two this year and publish it.

Mr. Santos stated that we discussed doing this previously; however, the problem we face is many of the electronics we have to record Council meetings was an issue. He said that Wando is prepared to take care of this responsibility, which is why off-site meetings were held at Wando, because it was easier.

Mayor Haynie stated that there are also the presentations to consider. He stated that this can be discussed at the Council Retreat, in addition to working with staff to find out what facilities work best. He said in the future, this could be a regular event, if those facilities work.

Mr. Bustos stated that when it was held at Wando High School, the culinary students would prepare meals for Council.

All present voted in favor.

Mayor Haynie stated that he would also like to place this for discussion at the Town Council Retreat.

B. Old Business

Final Reading: An Ordinance to amend Chapter 32 of the Code of Ordinances to increase the makeup of certain standing committees to up to four members of Council. (Ord. No. 17064)

Mr. Bustos moved for final reading.

Mr. Pagliarini stated that based on other items, he would like to recommend two amendments to this Ordinance. He said under 32-08, the Bids & Purchases that the limit on this for goods and services to the Town government appropriate matters should be \$100,000 instead of \$10,000. He said that anything under \$100,000 would be staff matter as opposed to Town Council. He said this would also change our existing code which says Purchase and Bids to Bids & Purchases.

Mr. Bustos asked if these were amendments to this ordinance.

Mr. Pagliarini responded in the affirmative.

Mr. Bustos amended his motion to include comments stated by the Town Attorney; seconded by Mr. Santos.

Mr. Owens stated that as far as the Bids & Purchases Committee it should stay a three member Committee, or at least an odd number Committee, because what is being

accomplished in this Committee is furthering the work of Town Council and no reason for it to come back to Council after it has been voted and approved in Committee.

Mayor Haynie stated that he understands that the Ordinance that is being passed allows for this Committee to have four members; however, it makes sense for it to only have three members.

All present voted in favor.

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

C. Executive Session

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

Council adjourned into executive session at 7:51 p.m.

1. Legal and Contractual

- a. Litigation update and consideration of a proposed settlement offer in Long Point Cooper, LLC v. Town of Mount Pleasant and Mount Pleasant Waterworks (2:16-cv-3036-DCN)
- b. Litigation update and consideration of proposed referral to business court in Shem Creek Development Group v. Town of Mount Pleasant (2017-CP-10-5493)
- c. Litigation update on Park West Development, Inc., v. Town of Mount Pleasant (2015-CP-10-2751)

2. Personnel

- a. Discussion of a personnel matter with respect to the Planning Commission
- b. Appointments to the Board of Zoning Appeals
- c. Appointments to the Old Village Historic District Commission
- d. Appointment to the Historical Commission

D. Post Executive Session

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

Council reconvened the meeting at 9:14 p.m.

(Ms. Landing was not present when Council reconvened)

Mayor Haynie declared Council out of executive session and stated that no votes or action were taken while in executive session. He said according to the notice and law, Council may take action on items discussed.

Mr. Bustos made a motion to appoint Barry Wolff to seat #1, and David Rubin to seat #7, to the Board of Zoning Appeals (BOZA); seconded by Mr. Santos. All present voted in favor.

Ms. Whitley moved to authorize Council in Shem Creek Development Group versus Town of Mount Pleasant to join in a motion to refer the case to business court; seconded by Mr. Owens.

All present voted in favor.

(Ms. Landing joined the meeting at 9:15 p.m.)

Ms. Landing made a motion to re-appoint Leigh Rowe and Scott Hirshorn to the Old Village Historic District Commission, and

appoint Ann Dovre and Louisa Montgomery to the Old Village Historic District Commission; seconded by Mr. Owens. All present voted in favor.

Mr. Owens made a motion to appoint William Ray, Jr., to the Historical Commission; seconded by Mr. Bustos. All present voted in favor.

XII. ADJOURN

There being no further business, Council adjourned at 9:17 p.m.

Respectfully submitted,
Barbara Ashe
January 9, 2018