



MINUTES
CITY OF GOOSE CREEK, SOUTH CAROLINA
REGULAR CITY COUNCIL MEETING
TUESDAY, JANUARY 12, 2021 – 6:00 PM
PHONE CALL IN NUMBER: (312) 626-6799
WEBINAR / MEETING ID: 965 6312 9387
LINK TO VIEW VIDEO:

<https://cityofgoosecreek.zoom.us/j/96563129387?pwd=N1duVlV1cmYvbWFnUDg4NVg1VjhtZz09>

MAYOR/COUNCIL PRESENT:

Mayor Gregory S. Habib
Mayor Pro Tem Jerry Tekac
Councilmember Hannah Cox
Councilmember Melissa Enos
Councilmember Debra Green-Fletcher
Councilmember Corey McClary
Councilmember Gayla McSwain

PRESS PRESENT:

None

CITY STAFF:

City Administrator Natalie Zeigler
Assistant City Administrator Brian Cook
City Clerk Kelly J. Lovette
Chief Financial Officer Tyler Howanyk
Chief of Police LJ Roscoe
Public Information Officer Frank Johnson
Director of Planning & Zoning Mark Brodeur
IT Director Ryan Byrd

GUESTS PRESENT:

None

PURSUANT TO THE FREEDOM OF INFORMATION ACT SC CODE 30-4-80: WRITTEN NOTICE WAS DELIVERED TO THE PRESS BY EMAIL ON FRIDAY, JANUARY 8, 2021, AND THE AMENDED AGENDA TO ZOOM LIVE WAS DELIVERED TO THE PRESS BY EMAIL ON MONDAY, JANUARY 11, 2021 AND WAS DULY POSTED AT CITY HALL LOCATED AT 519 N GOOSE CREEK BOULEVARD, AN ACCESSIBLE FACILITY, AND ON CITYOFGOOSECREEK.COM

I. CALL TO ORDER

Mayor Habib called the meeting to order at 6:00 pm and requested Councilmember Corey McClary to lead in the invocation and Pledge of Allegiance.

II. GENERAL PUBLIC COMMENTS: Note: All comments sent to the City Clerk by 12:00 noon on the date of this meeting, via US Mail or Email, as stated on the meeting Agenda, were forwarded to City Council.

III. APPROVAL OF MINUTES:

- a. City Council Workshop – December 7, 2020
- b. City Council Meeting – December 8, 2020

Motion: Councilmember McClary; Second: Councilmember Green-Fletcher
Discussion: None.
Carried: All ayes.

IV. PRESENTATIONS & PROCLAMATIONS:

- a. City Employee Recognitions and Awards

Mayor Habib stated due to the meeting being changed to Zoom, he presented the awards that day at 4:00 p.m., and Officer Scott Derrick, the City's Community Policing Officer, was selected not only as the Police Department's employee of the year, but he was selected by City Council as the overall City of Goose Creek Employee of the Year.

V. OLD BUSINESS & PUBLIC HEARINGS

- a. AN ORDINANCE TO SELL A PORTION OF REAL PROPERTY OF THE CITY OF GOOSE CREEK, A SOUTH CAROLINA MUNICIPAL CORPORATION, KNOWN AS TMS# 244-05-01-059 (OFF LINDY CREEK ROAD), IN ACCORDANCE WITH SECTION 5-7-260 (6) OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED (Second and Final Reading of a Public Hearing)

Motion: Mayor Pro Tem Tekac; Second: Councilmember Green-Fletcher

Discussion: None.

Carried: Five (5) Ayes; Two (2) Nays (Councilmember McClary and Councilmember McSwain).

- b. AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF GOOSE CREEK, SOUTH CAROLINA, BY REPEALING IN ITS ENTIRETY THE CURRENT SECTION 31.005, COMPENSATION OF MAYOR AND COUNCIL MEMBERS AS FIXED, AND ADOPTING IN LIEU THEREOF A NEW SECTION 31.005, COMPENSATION FREQUENCY OF MAYOR AND COUNCIL, WHICH IS ATTACHED HERETO AND MADE PART THEREOF AS IS FULLY SET OUT HEREIN (Second and Final Reading of a Public Hearing)

Motion: Councilmember Cox; Second: Mayor Pro Tem Tekac

Discussion: None.

Carried: All ayes.

- c. AN ORDINANCE PURSUANT TO TITLE 5, CHAPTER 3, SECTION 5-3-150, SUBSECTION 3, OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED, TO ANNEX AN AREA IDENTIFIED AS TMS 244-13-01-009 and TMS 244-13-01-010 INTO THE CITY OF GOOSE CREEK, A SOUTH CAROLINA MUNICIPAL CORPORATION (Second and Final Reading of a Public Hearing)

Motion: Councilmember McClary; Second: Councilmember Green-Fletcher

Discussion: None.

Carried: All ayes.

VI. NEW BUSINESS & PUBLIC HEARINGS

- a. AN ORDINANCE TO AMEND THE "CODE OF ORDINANCES OF THE CITY OF GOOSE CREEK, SOUTH CAROLINA", BY AMENDING TITLE XV – LAND USAGE, SUBCHAPTER "151.086 – PARKING AND LOADING SPACE" REGARDING THE ADDITION OF LANGUAGE TO LIMIT THE MAXIMUM NUMBER OF PARKING SPACES PERMITTED AND TO PROVIDE SPECIFICATIONS ON THE SIZE OF PARKING SPACES AND TO PERMIT THE SHARING OF PARKING SPACES BETWEEN APPROPRIATE PROPERTIES (Introduction and First Reading of a Public Hearing)

Motion: Mayor Pro Tem Tekac; Second: Councilmember Cox

Discussion: Councilmember McClary and Mayor Habib inquired what prompted the proposed Ordinance. Mrs. Zeigler stated it is a trend with other municipalities to move toward less parking, so you do not have the overparking like what is in front of Walmart, where it is only used during Black Friday and no other time during the year. She stated you want to reduce the size down for aesthetics reasons and not have the mindset of let them build what they want. Mr. Brodeur stated this is indeed a trend and for three (3) reasons it is a positive move forward. He stated the first, excessive parking can unnecessarily move a building closer to a residential area; second, is to try to minimize the paving to allow for valuable space that can be turned into taxable income producing businesses; and the

third is stormwater runoff in that if you are providing for 200 parking spaces instead of 75, you are paving over a lot of ground that can absorb rainwater.

Carried: All ayes.

- b. AN ORDINANCE TO AMEND THE “CODE OF ORDINANCES OF THE CITY OF GOOSE CREEK, SOUTH CAROLINA”, BY AMENDING TITLE XV – LAND USAGE, CHAPTER 151 – ZONING SUBCHAPTERS INCLUDING SUBCHAPTER “151.085 – TABLE OF LAND USE BUFFERS; SUBCHAPTER 151.105 – ESTABLISHMENT OF DISTRICTS AND MAPS; SUBCHAPTER 151.109 - SPECIAL USES; SUBCHAPTER 151.133 – LIGHT INDUSTRIAL DISTRICT; SUBCHAPTER 151.134 GENERAL INDUSTRIAL DISTRICT; APPENDIX A – TABLE OF PARKING AND LOADING REQUIREMENTS; APPENDIX B – TABLE OF LAND USES; APPENDIX C – TABLE OF ACCESSORY USES; TABLE D – ZONING DISTRICTS AND THE REPEAL OF SUBCHAPTER 151.132 – COMMERCIAL AND INDUSTRIAL DISTRICT IN ITS ENTIRETY AND CREATE A NEW SUBCHAPTER 151.132 - HEAVY INDUSTRIAL (Introduction and First Reading of a Public Hearing)

Motion: Mayor Pro Tem Tekac; Second: Councilmember Green-Fletcher

Discussion: Councilmember McClary inquired the reason for this proposed Ordinance. Mayor Habib stated the reason for doing this was the anticipated annexation of the Century Aluminum plant and for the City to match the current zoning they have with Berkeley County. Mr. Broader elaborated as to what Mayor Habib stated and he wanted to assure everyone the only place Heavy Industrial could go was on the current Century Aluminum property.

Carried: All ayes.

- c. AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF GOOSE CREEK, SOUTH CAROLINA, TO PROVIDE FOR CHANGES IN THE ZONING DISTRICTS OF THE FOLLOWING PROPERTY: THE PROPERTY LOCATED ALONG OLD BACK RIVER ROAD AND IDENTIFIED AS TMS #'s 244-00-00-033, 244-14-05-047 AND 244-14-05-048, FROM R-2 (MEDIUM DENSITY RESIDENTIAL) TO R-3 (HIGH DENSITY RESIDENTIAL) – (Introduction and First Reading of a Public Hearing)

Motion: Councilmember Cox; Second: Councilmember Green-Fletcher

Discussion: Councilmember McClary inquired if the proposed development consisted of duplexes under R-3. Mr. Broader stated they are not duplexes, these are called paired homes and each unit will be on its own separate and individual parcel and is individually owned; therefore, it must be an R-3 zoning and to get the paired homes this project still needs to proceed to the Zoning Board of Appeals for a multi-family attached product unit for approval.

Carried: All ayes.

VII. ADMINISTRATOR’S REPORT

a. Installment Lease Purchase Approval

Mrs. Zeigler stated she was seeking approval to finance the City’s Capital equipment within the 2021 budget, part of the purchases for three (3) years (\$615,000) and part for five (5) years (\$310,000), with the lowest RFP coming in from BB&T / Truist 0.820% (3 years) and 1.010% (5 years).

Motion: Mayor Pro Tem Tekac; Second: Councilmember McClary

Discussion: None.

Carried: All ayes.

b. Police Department – Upgrade to PD Training Room

Mrs. Zeigler stated she has spoken with Ryan Byrd, the City’s It Director, and Carolina Sound Communications is who the City has used since before Ryan began with the City and they handle all the City’s communications equipment and City staff is seeking to use them for the upgrade to the PD

Training Room. She stated it is a budgeted expense that came in under budget, and she was requesting City Council's approval.

Motion: Councilmember McSwain; Second: Mayor Pro Tem Tekac

Discussion: Councilmember McSwain inquired if there was a certain amount that requires an item to be put out for bid. Mayor Habib stated the Purchasing Policy that was passed by City Council allows supervisors up to \$1,000; City Administrator up to \$5,000 and anything over \$25,000 requires City Council's approval, and the City Administrator is required to get bids on purchases over a certain amount. Mr. Howanyk stated the IT Director does have some discretion and leeway due to technology equipment/software compatibility when it comes to required bids; but yes, City staff does get three (3) bids on most items.

Carried: All ayes.

VIII. MAYOR'S REPORT

Mayor Habib provided updates to the following by stating construction has begun with Boulder Bluff Park and is scheduled to be completed by June 30, 2021; he stated he received an email concerning the US Highway 176 Safety Project and there was a delay due to a utility easement and December 14th was the date they were allowed to start and the end date was scheduled for July and that it has not been moved back, but there is one exception; the utility easements and a sewer main that Berkeley County plans to put in down the road. He stated the entirety of the project is expected to be completed by the end of July except for the turn lane going into Westview. Mayor Habib stated he spoke with Governor McMaster last week regarding vaccinations and his concerns about our frontline personnel, Police and Fire, and why it was taking so long to get this group vaccinated. He stated after speaking with a couple of other police chiefs it appears to be a problem in Berkeley County and not necessarily in other areas. He spoke with the hospital administrator with Roper Berkeley and the administrator forwarded the City a portal and now our frontline personnel are getting vaccinated.

IX. ADJOURN

Motion: Mayor Pro Tem Tekac; Second: Councilmember McClary

Discussion: None.

Carried: All ayes, 6:39 p.m.

Date: February 9, 2021

Kelly J. Lovette, MMC
City Clerk

From: [Oaks Estates](#)
To: [Kelly Lovette](#)
Cc: [Natalie Zeigler](#)
Subject: City Council Meeting Comment - January 12, 2021 (The Oaks)
Date: Monday, January 11, 2021 6:27:51 PM

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Kelly, Here is my written comment for The Oaks Annexation item on tomorrow's agenda. Thank you for granting me access in the event that Council has any questions of me. This one may be able to be handled without questions but I will also be sending comments on two other items for my role as Planning Commission chair.

Comment for The Oaks Annexation
Josh Johnson, President, The Oaks Estates Civic Club

Thank you for the opportunity to speak at last month's council meeting and to submit this comment to you. I will be as succinct as possible, but will be available during the council meeting if any questions arise. The short version is that I represent The Oaks Estates Civic Club, and we continue to support the annexation and zoning map as provided at last month's meeting. The specific outstanding issue from that meeting's discussion was related to an agreement between The Oaks & Beazer. Since that time, we have decided not to formalize an agreement but instead to accept a letter of intent from Beazer, which I am providing under separate cover as an attachment due to its size of around 5 MB. With this letter of intent in hand, we will continue to work with Beazer on some of the other details of the development.

One of the reasons we have decided to go this avenue is that Beazer's legal team has made a determination that their property is not bound by The Oaks Estates covenants. We disagree with this determination, but because Beazer has committed to items we had already discussed as outlined in their letter, we have found little benefit in mounting a legal challenge to their determination. I know that this was a significant topic at the last meeting, so while it is understood that the City has no need for involvement in the covenants discussion between parties, I felt it would be beneficial to pass this along.

A separate item that is not covered in Beazer's letter of intent will come forward as the plans continue to advance. This is in regard to the green space provided around the old plantation house site, as shown on Beazer's concept plan. I have been given a verbal indication from Beazer that they would be willing to provide at least a portion of this green space to the City to be used as a public green space as long as it remains more passive, meaning no formal parking and no facilities such as tennis or basketball courts. We are in complete agreement with this, and request that the City accept this space to allow this historic site to be public for not only the existing Oaks residents but other residents of the City. If this is not transferred to the City, we run the risk of the future new HOA blocking access to this historic site which was integral to the community for so many years. With the separation of the Beazer HOA and our civic organization, this issue regarding green space becomes extremely critical. We would not object to playground or picnic equipment at the site in the future, should the City determine that to be desirable.

Lastly, as a reminder, our support is for the plan as was outlined at the last meeting and in Beazer's letter to us. Our civic club and residents in no way will support a modification to the

proposed zoning which includes increased density above that which it is proposed or which includes townhomes. This has been made very clear by our residents, as I expressed at the last meeting.

Thank you, and again if you have any questions, I am available to answer them.

Sincerely,
Josh Johnson
President, The Oaks Estates Civic Club

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You are receiving this email from TheOaksEstates@gmail.com, the official email address of The Oaks Estates Civic Club. If you have received this in error or no longer wish to receive emails, simply reply to this email to notify us, and you will be removed from the distribution list.

From: [Josh Johnson](#)
To: [Kelly Lovette](#); [Natalie Zeigler](#)
Subject: City Council Meeting Comment - January 12, 2021 (Parking & Industrial Zoning)
Date: Monday, January 11, 2021 7:53:33 PM

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Kelly, Here are my two comments regarding the two items brought forward from planning commission.

Comment for Item IV.a (Parking)
Josh Johnson, City Planning Commission Chairman

Mr. Mayor & Council, Thank you for the opportunity to comment on behalf of the planning commission regarding this proposed ordinance change. The change as recommended by the planning commission related to parking requirements in the city is designed to promote more green space and limit the expanses of asphalt and all of the negative impacts that come with them such as increased runoff and the urban heat effect. The city currently provides a minimum number of parking spaces for various uses, but provides no maximum number. This change will provide that upper limit and also require a portion of the parking to be semi-pervious if the site is designed with 125% or more of the required parking. Additionally, the other minor changes are also intended to reduce unnecessary asphalt. Further changes may be considered to the parking requirements in the future, but these minor changes can be made now to provide immediate benefit. I will be available online at the January 12 Council meeting to answer questions if needed.

Comment for Item VI.b (Industrial Zoning)
Josh Johnson, City Planning Commission Chairman

Mr. Mayor & Council, Thank you for the opportunity to comment on behalf of the planning commission regarding this proposed ordinance change. The change as recommended by the planning commission is a complete overhaul of the industrial zoning code for the city. This topic was originally brought to the commission for consideration of creating a heavy industrial zone that would better fit the Century Aluminum site if it were annexed into the city. However, the commission soon realized that it would not be possible to create this new zone without impacting other areas of the code. It was also stated several times throughout the process that our desire was to recommend a zoning ordinance "made to last 100 years, not 100 days" and that while the Century Aluminum annexation may have brought forward the need to evaluate the industrial zoning ordinance, our recommendation should not be predicated on the desires of a single specific development. Therefore, we undertook a detailed look at the entirety of the industrial zoning ordinance, which took many, many hours of work by the commission and city staff. The proposed change retains three industrial zones in the city but eliminates the unused commercial industrial (CI) zone and creates the heavy industrial (HI) zone. Some of the heavier items, such as sanitary landfills, previously allowed in the general industrial (GI) zone have been moved to the new HI zone. Other changes were made throughout each remaining zone to provide a better distinction between each of the industrial classifications while also adding some flexibility for certain uses, possibly benefiting economic growth. There remains some items in the HI zone that would accommodate the Century Aluminum property if it were ever annexed, but the zone is not dependent on that annexation for its existence. We would therefore request that this proposal be considered as

written and separate from any notion regarding Century Aluminum. Frankly, the effort that went into this recommendation from the planning commission and its complexity cannot be summarized in a short written comment, and if Council is unsure about the proposal then it may be beneficial to continue the matter to a later meeting or workshop to truly delve into the details. I will be available online at the January 12 Council meeting to answer questions if needed.

Sincerely,
Josh Johnson