

**City Council Meeting**  
**January 12, 2016**  
**7:00 P.M.**  
**City Hall**

**Council Members Present:**

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Mayor Michael J. Heitzler; Mayor Pro Tem Mark A. Phillips; Councilmember James (Kimo) Esarey; Councilmember Debra Green-Fletcher; Councilmember John McCants; Councilmember Jerry Tekac

**Council Members Absent:**

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None

**Staff Present:**

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City Administrator Dennis C. Harmon; Assistant City Administrator Jake Broom; City Clerk Kelly J. Lovette; Assistant Chief of Police John Grainger; Fire Chief Steve Chapman; Finance Director Ron Faretra; Director of Public Works Steve Price; Director of Recreation Gary Stuber; Director of Golf Operations Troy Sanders; Public Information Officer Frank Johnson; Director of Planning and Zoning Sarah Hanson

**Staff Absent:**

None

**Invocation:**

Councilmember Jerry Tekac

**Pledge of Allegiance:**

Mayor Heitzler

**Press Present:**

**Guests Present:**

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**I. Call to Order:**

Mayor Heitzler called the meeting to order at 7:00 p.m.

**II. Comments from the Audience:**

Mayor Heitzler recognized Mr. Bob Williams who stated Goose Creek is a very nice residential community with excellent recreational programs and special events, very good police force, sanitation, fire services, and plenty of green space; in short, Goose Creek is a city to be proud of. Mr. Williams commented on the rapid growth of surrounding areas and urged City Council not to allow the same to happen to Goose Creek. Mayor Heitzler recognized Mrs. Veronica Dukes, President of the Goose Creek Chapter of the NAACP (National Association for the Advancement of Colored People), who expressed her support for the possibility of a Cultural Arts Commission. Mrs. Dukes then inquired about the anticipated budget of the Cultural Arts Commission, its mission, focus, and what resources it may use of the City's.

Mayor Heitzler requested Ms. Lovette to provide him with the names of the individuals who currently serve on the Cultural Arts Committee.

**III. Approval of Previous Minutes:**

None.

**IV. Public Hearings:**

Mayor Heitzler stated the first item under Public Hearings was the second and final reading to a proposed Ordinance to annex 29.37 acres of land, known as the "Mackey Tract," into the City of Goose Creek. Mayor Heitzler asked if there any questions

regarding the annexation of this land. Mayor Heitzler read the title to the proposed Ordinance.

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# 222-00-00-006 (MACKEY TRACT / OLD SUMMERVILLE ROAD), INTO THE CITY OF GOOSE CREEK, A SOUTH CAROLINA MUNICIPAL CORPORATION (Second and Final Reading)

Mayor Pro Tem Phillips made a motion to adopt the proposed annexation Ordinance to property known as the Mackey Tract, as stated by Mayor Heitzler. Councilmember Esarey seconded the motion. Hearing no further discussion, Mayor Heitzler called for the vote. All in favor, none opposed. Motion carried.

Mayor Heitzler stated the second item under Public Hearings was the introduction and first reading of a proposed Ordinance to amend the City's Zoning Ordinance to rezone the Mackey Tract land from Conservation Open Space (CO) to High Density Residential (R-3). Mayor Heitzler recognized Mr. Jerry Glass who inquired if it was a concern of the City to incorporate a large residential development into an already established residential area. Mayor Heitzler stated everything is of concern and the City takes everything into consideration when making decisions. Mayor Heitzler read the title to the proposed Ordinance.

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 CITY OF GOOSE CREEK BY CHANGING THE ZONING CLASSIFICATION OF THE PROPERTY LOCATED ON OLD SUMMERVILLE ROAD, DESIGNATED AS TMS # 222-00-00-006, FROM CONSERVATION OPEN SPACE (CO) TO HIGH DENSITY RESIDENTIAL (R-3) (Introduction and First Reading)

Councilmember Esarey made a motion to approve the proposed amendment to the Zoning Ordinance, as stated by Mayor Heitzler. Councilmember McCants seconded the motion. There was a brief discussion by City Council wherein they discussed zoning, lot sizes and other development currently going on within the nearby area. Hearing no further discussion, Mayor Heitzler called for the vote. All in favor, none opposed. Motion carried.

Mayor Heitzler stated the third item under Public Hearings was the introduction and first reading of a proposed Ordinance to approve a Development Agreement between the City of Goose Creek and the Estate of Earl E. Mackey, for the area known as the Mackey Tract. Mayor Heitzler recognized Mr. Jerry Glass who stated there is great concern there will only be one (1) entrance/exit into the subdivision, as well as the amount of traffic that will be generated to the area due to new residential development and could the City suggest, recommend or urge the developer to have another way off of the property by creating another entrance/exit. Mayor Heitzler stated yes. Mr. Glass stated he felt the residents who currently reside in that location would greatly appreciate some assistance from the City in trying to get the developer to work out whatever arrangements he can to make another exit. Mayor Heitzler stated these types of things are reviewed by the developers, the City's professional staff, as well as the seven (7) citizens who sit on the City's Planning Commission and City Council, they all review those same concerns before approval is given. He stated City Council appreciates Mr. Glass' comments. Mayor Heitzler recognized Mr. Allen Glass who stated he had concerns about water drainage over the proposed area to be developed. Mayor Heitzler stated water drainage is taken into consideration within the Development Agreement and it is a fundamental element of any planning for development. There was a brief discussion between a gentleman from the audience and Mayor Heitzler, wherein Mayor Heitzler explained what the property was and will be zoned, as well as some of the items addressed within the Development Agreement for this project. Councilmember Esarey stated the other option was for the owner to leave the parcel of land under Berkeley County's jurisdiction and they could do exactly the same thing without the City's oversight. Mr. Harmon concurred with Councilmember Esarey's statement. Councilmember Esarey stated he felt the City would be giving them a better oversight than Berkeley County and the City would require them to do things that the County would not. He stated it is not like if the City does not approve the development project that it is not going to happen; it is only giving the City an opportunity to make sure it happens as best it can. Mayor Heitzler recognized Mr. Larry Monheit stated there is a lot more traffic traveling on US Highway 52 and he inquired if there are any plans for South Carolina Department of Transportation (SCDOT) to be widened. Mayor Heitzler stated the City is working diligently to improve the flow of traffic on the City's major roadways. He stated the City has the plans for the new Henry Brown Boulevard that will loop traffic around the City, but because the City does not own the roadways, we have to depend on SCDOT and Berkeley County to make the improvements because they are the ones who own the roads. There was a brief discussion regarding the conditions of current roads and the plans for future roadways, as well as the use of the One Cent Sales Tax collected by Berkeley County and applied toward the maintenance and development of roadways throughout Berkeley County. Mayor Heitzler recognized a gentleman from the audience who inquired if the City was prepared to handle emergency needs for police or fire assistance within the proposed area to be developed. Mayor Heitzler stated yes and he provided a brief history of the City's millage rates, its growth over the years from land development and new business, to include the future development coming from Roper Hospital. He stated you cannot stop the growth that is coming, some call it progress and thank goodness the City is tenacious and aggressive enough to annex these areas that want to come into the City; and whereby City

Council and City staff are conscientious about development and try their best in controlling how projects are developed instead of just allowing it to happen. Hearing nothing further, Mayor Heitzler read the title of the proposed development agreement.

AN ORDINANCE TO APPROVE A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF GOOSE CREEK AND THE ESTATE OF EARL E. MACKAY, FOR AN AREA IDENTIFIED AS THE MACKAY TRACT, TMS # 222-00-00-006, OLD SUMMERVILLE ROAD, CONSISTING OF APPROXIMATELY 29.37 ACRES (Introduction and First Reading)

Councilmember Esarey made a motion to approve the proposed Ordinance, as stated by Mayor Heitzler. Mayor Pro Tem Phillips seconded the motion. Hearing no further discussion, Mayor Heitzler called for the vote. All in favor, none opposed. Motion carried.

Mayor Heitzler stated the last item under Public Hearings was a proposed Ordinance to establish a Cultural Arts Commission (CAC) for the City of Goose Creek. He stated this item was previously tabled; therefore, a motion must come from the prevailing side. Mayor Heitzler stated the prevailing side included Councilmember Tekac, Councilmember Moore and Councilmember Esarey. Mr. Harmon stated he was correct. Mayor Heitzler stated the members of the CAC would not have a budget, or an office and they would have to come before City Council to give them their ideas in the months, years and decades to come to see if City Council will develop their concept of fine arts for the City of Goose Creek. Mayor Heitzler recognized Ms. Veronica Dukes who inquired as to what the mission of the CAC would be and how individuals would be selected to be seated on the CAC. Mayor Heitzler stated the CAC would be comprised of seven (7) people with various backgrounds who live in the City and are interested in cultural arts which may consist of poetry, dance, musical instruments, painting or sculpting, etc. and those seats have not yet been filled. He stated the process in which individuals would be selected would be by responding to an advertisement that will be placed by City staff and wherein interviews and a selection process will be conducted by City Council. A brief discussion followed regarding the importance of diversity on the CAC and ensuring various cultures and backgrounds would be represented.

Mayor Heitzler read the names of the individuals who currently sit on the City's Cultural Committee (not the CAC), who were present at the Committee's recent meeting and are willing to serve on the CAC: Sandy Chapman, Dr. Richard Hernandez, Pam Smith, Carol Skelly. He stated those who are willing to serve on the CAC, but absent were: David Stevens, Evangela Myers, Marge Kennedy-Williams.

Mayor Heitzler recognized a lady from the audience who stated Goose Creek has become very diverse with several different cultures and there should be inclusion of all colors. She stated she would like an advertisement to be placed in order to give people an opportunity to adequately apply to serve on the CAC. Mr. Alan Wall raised a Point of Order in that the prevailing side had not brought the item off the table. Mayor Heitzler stated he was only seeking public input at that moment and he thanked him for raising a Point of Order.

Councilmember Moore made a motion to remove the proposed Ordinance to form a Cultural Arts Commission from the table. Councilmember Tekac seconded the motion. Hearing no further discussion, Mayor Heitzler called for the vote. All in favor, none opposed. Mayor Heitzler read the title of the proposed Ordinance.

AN ORDINANCE TO ESTABLISH A CULTURAL ARTS COMMISSION FOR THE CITY OF GOOSE CREEK, SOUTH CAROLINA (Introduction and First Reading)

Councilmember Tekac made motion to approve. Mayor Pro Tem Phillips seconded the motion. Mayor Heitzler stated there would now be discussion by City Council. Councilmember Tekac stated he agreed with the comments from the audience in that an advertisement would be needed and that City Council should interview those wishing to serve on the CAC. Councilmember McCants requested reviewing the proposed Ordinance before voting in order to address a duplication located in paragraph number four (4). There was a brief discussion regarding the duplication. Councilmember Green-Fletcher stated all actions regarding the proposed Ordinance were being done in good faith to include everyone. Councilmember Phillips spoke to the importance of culture, history and the arts to the community. Hearing no further discussion, Mayor Heitzler called for the vote. Six (6) in favor, One (1) opposed. Motion carried. (Note: Councilmember McCants voted no.)

## V. Department Reports:

**Police Department** – Congratulations were given from several members of City Council to Major Grainger on his recent promotion from Captain.

**Fire Department** – There were no comments or questions.

**Department of Public Works (DPW)** – Councilmember Tekac inquired of Mr. Price the status of Gainsborough Drive regarding the bids for the project. Mr. Price stated he did know the status for the bids, but he was aware they were advertised. Mr. Harmon concurred with Mr. Price by stating the City has not been advised as to the status of the bids.

**Administration Department & Municipal Court** – There were no comments or questions.

**Recreation Department** – Mr. Stuber stated both basketball season started and baseball registration opened Monday, the day prior. Councilmember McCants inquired if the Stratford Swim Team would be using the pool again in 2016. Mr. Stuber stated it was his understanding that both Goose Creek and Stratford High Schools would be using the pool.

**Golf Department** – There were no comments or questions.

**Public Information Officer/Annexation Coordinator** – Mr. Johnson stated the City Yard Sale was scheduled to be held Saturday, April 9<sup>th</sup>, at the soccer fields by the Casey Center and those interested in participating could contact the Recreation Department to reserve table space.

**Planning Department** – There were no comments or questions.

## **VI. City Administrator's Report:**

**Request to Contract – Boulder Bluff Park Master Plan** – Mr. Harmon stated City Council was aware of a completed transfer of 21+ acres from the Berkeley County School District to the City of Goose Creek, to be combined with other property, including Dennis Park, to create a potential new park in the Boulder Bluff subdivision equaling approximately 48 acres. He stated the contract for transfer requires a master plan to be done within one (1) year from the date of transfer of said property; and, that the property be developed within five (5) years into a park system. Mr. Harmon stated a proposal has been negotiated with LandPlan Group South Incorporated out of Columbia, South Carolina, in the total amount of \$49,720, for the Master Plan. Mr. Harmon recommend monies be used from the Hospitality Tax Fund and requested City Council's consideration for approval.

Councilmember McCants made a motion to approve the request, as stated by Mr. Harmon. Councilmember Green-Fletcher seconded the motion. Hearing no further discussion, Mayor Heitzler called for the vote. All in favor, none opposed. Motion carried.

**Request to Contract – Golf (Golf Cart/Equipment Leases)** – Mr. Harmon stated before City Council was a request and supporting documentation from the Director of Golf Operations to lease golf carts and golf course maintenance equipment. He stated the City's golf course staff recommends the City continue to contract with Yamaha Golf Cart Company, Nunan, Georgia, in the total amount of \$5,128.45, per month for seventy (70) carts and associated equipment; contract with Smith Turf & Irrigation, Charlotte, North Carolina, in the total amount of \$9,159.13, per month for mowing and associated equipment. He stated City staff also supports these recommendations. Mr. Harmon requested City Council's consideration for approval of the contracts for the services he specified. {58:52} Mayor Heitzler recognized Mr. Larry Hearn who inquired about the financial security of the proposed contracts before City Council and stated his displeasure with City Council moving forward to consider them for approval. Mr. Hearn also inquired as to how the leases would be funded. Mr. Harmon stated funds would come from Golf Operations. Mr. Harmon stated the proposed contracts are normal operating procedures within the golf industry. Mr. Hearn stated he did not agree with the recommendations and felt the contracts were not sound financial decisions. Mayor Heitzler inquired of Mr. Harmon to reinforce the legitimacy of the contracts. A brief discussion followed regarding the financial aspects of the lease agreements in conjunction to the golf course operations.

Councilmember Esarey made a motion to approve the requests to contract with Yamaha Golf Cart Company and Smith Turf & Irrigation, as stated by Mr. Harmon. Councilmember Tekac seconded the motion. Councilmember Tekac inquired what would happen if the vote was delayed. Mr. Harmon stated the ability to operate the golf course as a business entity would be

lost. Mr. Harmon stated current contracts could be renegotiated but there was very little time to do so. He stated he would not recommend delaying the vote. Councilmember Phillips inquired how the contract prices compared to current lease payments. Mr. Harmon deferred to Mr. Sanders. Mr. Sanders indicated a slight increase in both contracts. Hearing no further discussion, Mayor Heitzler called for the vote. Six (6) in favor, one (1) opposed. Motion carried. (Note: Councilmember McCants voted no.)

**Request to Solicit for 2016** – Mr. Harmon stated before City Council was a memorandum for solicitation by various departments of the City. They were stated as follows: Helping Hands of Goose Creek, City of Goose Creek Annual Blood Drive, St. Jude Children’s Hospital, National Child Safety Council, Koman G. Foundation “Race for the Cure”, Buck-A-Cup/Brace-A-Child and the Recreation Department’s request to solicit in accordance with City Ordinance. At this time, Mr. Harmon requested City Council’s consideration to approve the solicitations as presented.

Councilmember McCants made a motion to approve the request to solicit, as presented by Mr. Harmon. Councilmember Tekac seconded the motion. Hearing no further discussion, Mayor Heitzler called for the vote. All in favor, none opposed. Motion carried.

## **VII. Mayor’s Report:**

**Advance Road Improvement Plan Item #3 of the 2015 Goals and Objectives):** Mayor Heitzler stated earlier in the meeting he had already reviewed the plan to advance road improvements and would not waste anyone’s time repeating the same information.

## **VIII. Comments and Questions:**

Mayor Heitzler recognized Mr. Wall who stated he agreed with the creation of a CAC and inquired if the proposed Ordinance was the first reading. Mr. Harmon clarified that it was the first reading, it did not specify because the item had been previously tabled and had to be brought back off the table with a motion to reconsider before it could be considered for first reading. Mayor Heitzler recognized a gentleman from the audience who inquired why the City waited until the last minute to make a decision on the golf carts and maintenance of the greens. Mayor Heitzler deferred the question to Mr. Sanders who stated there was not a delay and that based on golf cart rollout the City was on schedule. Mayor Heitzler stated he agreed with the gentleman from the audience that despite cart rollout, the item should have been discussed previously so options were available if the motion did not pass. Mayor Heitzler recognized Mr. Hearn who inquired of Chief Chapman why the Fire Department has yet to take ownership of Fire Station III, as he believed during the December 2015, City Council Meeting, a turnover date of December 2015, was given. Chief Chapman stated there was no concrete turnover date, the contractor was finishing up small items and there were still eight (8) positions to fill. Mr. Harmon clarified the question in regard to the turnover date stating that in his own report at the December meeting, he stated the anticipated turnover date was December 23, 2015, however, Chief Chapman indicated he did not anticipate moving into the station until the end of January 2016.

## **Adjournment:**

Councilmember Esarey made a motion to adjourn. All in favor, none opposed. Motion carried. Meeting adjourned at 8:22 p.m.

Date: March 8, 2016

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**Kelly J. Lovette, MMC**  
**City Clerk**

*A copy of this meeting's agenda was sent to the Post and Courier and The Goose Creek Gazette; it was posted in City Hall 24 hours prior to the meeting.*