

**City Council Meeting**  
**March 14, 2017**  
**7:00 P.M.**  
**City Hall**

**Council Members Present:**

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Mayor Michael J. Heitzler; Mayor Pro Tem Mark Phillips; Councilmember Debra Green-Fletcher; Councilmember Brandon Cox; Councilmember Gregory Habib; Councilmember Kevin Condon; Councilmember James (Kimo) Esarey

**Council Members Absent:**

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None

**Staff Present:**

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City Administrator Jake Broom; City Clerk Kelly J. Lovette; Police Chief Harvey Becker; 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 Kara Browder

**Staff Absent:**

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None

**Invocation:**

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A Gentleman from the Audience.

**Pledge of Allegiance:**

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Troop 777

**Press Present:**

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Ricky Dennis- Goose Creek Gazette

**Guests Present:**

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Boy Scout Troup 777

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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 thanked Troop 777 for presenting the colors and introduced Matt Brady the future Economic Development Director. No comments from the audience.

**III. Approval of Previous Minutes:**

Special City Council Meeting – June 28, 2016  
City Council Meeting – August 9, 2016  
Special City Council Meeting – February 22, 2017

Mayor Pro Tem Phillips made a motion to adopt the minutes, as stated by Mayor Heitzler. Councilmember Esarey seconded the motion. All in favor, none opposed. Motion carried.

**IV. Public Hearings:**

Mayor Heitzler stated the first item on the agenda was the second and final reading of an ordinance to amend a zoning ordinance to match the guidelines of the Federal government with the Federal Emergency Management Agency (FEMA).

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF GOOSE CREEK, SOUTH CAROLINA, TO PROVIDE FOR CHANGES TO SECTION 151.028 DEFINITIONS OF WORDS AND TERMS, OF THE ZONING ORDINANCE OF THE CITY OF GOOSE CREEK (Second and Final Reading)

Mayor Heitzler inquired if City Council wished to take any action. Councilmember Green-Fletcher made a motion to adopt the proposed Ordinance, as stated by Mayor Heitzler. Councilmember Esarey seconded the motion. Hearing no discussion, Mayor Heitzler called for the vote. All in favor, none opposed. Motion carried.

Mayor Heitzler stated the second item on the agenda was the second and final reading of an ordinance to amend the Zoning Ordinance to match the Federal Government guidelines with Federal Emergency Management Agency (FEMA).

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF GOOSE CREEK, SOUTH CAROLINA, TO PROVIDE FOR CHANGES TO, SECTION 151.081 FLOOD HAZARD CONTROLS, OF THE ZONING ORDINANCE OF THE CITY OF GOOSE CREEK

Mayor Heitzler inquired if City Council wished to take any action. Councilmember Esarey made a motion to adopt the proposed Ordinance, as stated by Mayor Heitzler. Councilmember Cox seconded the motion. Hearing no discussion, Mayor Heitzler called for the vote. All in favor, none opposed. Motion carried.

Mayor Heitzler stated the third item on the agenda was a recommendation from the Planning Commission and it was up for the second and final reading. Mr. Joel Arenson inquired if current facilities would be grandfathered or if the revised ordinance would be retroactive. Mayor Heitzler stated prior nonconforming use, however if the current owner goes out of business, the new owner would have to comply with the amended ordinance. Mr. Alan Wall stated as current businesses sell their cars off the lot, they would have to comply with the new spacing guidelines. A gentleman from the audience stated nothing would be fixed if current businesses are not required to meet the amended ordinance regulations. Mayor Heitzler stated South Carolina state statute prevents this due to strong property rights.

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF GOOSE CREEK, SOUTH CAROLINA, TO PROVIDE FOR CHANGES BY ADDING LANGUAGE TO "APPENDIX A" TABLE OF PARKING AND LOADING SPACE REQUIREMENTS TO THE ZONING ORDINANCE OF THE CITY OF GOOSE CREEK (Second and Final Reading)

Councilmember Habib made a motion to approve the proposed ordinance, as stated by Mayor Heitzler. Councilmember Condon seconded the motion. Mayor Pro Tem Phillips inquired as to why the ordinance needed to be amended and the problems it would be causing the City to create the amendment. Mayor Heitzler stated there are properties that are zoned as commercial and rather than changing the facility to accommodate commercial use, these businesses are putting commercial use on top of residential property. Mayor Pro Tem Phillips inquired if the pavement for these parking spaces are required to be impervious or pervious. Councilmember Esarey inquired as to how the quantity of vehicles on the lot will be enforced. Councilmember Habib stated he needed clarification as to the type of material allowed for the pavement. Mr. Broom stated a solid surface such as concrete, asphalt, or pervious concrete. Hearing no further discussion, Mayor Heitzler called for the vote. All in favor, none opposed. Motion carried.

Mayor Heitzler stated the next item on the Agenda was the second and final reading for the annexation of a small lot owned by Carnes Crossroads Associates.

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, KNOWN AS 227 OLD SUMMERVILLE ROAD, SUMMERVILLE, SC (TMS# 222-10-00-011) INTO THE CITY OF GOOSE CREEK, A SOUTH CAROLINA MUNICIPAL CORPORATION (Carnes Crossroads) (Second and Final Reading)

Mayor Heitzler inquired if City Council wished to take any action. Councilmember Habib made a motion to approve the proposed Ordinance, as stated by Mayor Heitzler. Councilmember Esarey seconded the motion. Hearing no discussion, Mayor Heitzler called for the vote. All in favor, none opposed. Motion carried.

Mayor Heitzler stated the fifth item on the agenda was another annexation that the Daniel Island Development Company owns in the Carnes Crossroad area and they would like to bring the property into the City. Mr. Joel Arenson inquired why the property was not annexed when the bulk of Carnes Crossroads was being developed. Mayor Heitzler stated the company did not own the property at that time.

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 KNOWN AS, 2432 NORTH MAIN STREET, SUMMERVILLE, SC (TMS# 222-07-00-002), INTO THE CITY OF GOOSE CREEK, A SOUTH CAROLINA MUNICIPAL CORPORATION (Carnes Crossroads) (Second and Final Reading)

Mayor Heitzler inquired if City Council wished to take any action. Councilmember Cox made a motion to adopt the proposed Ordinance, as stated by Mayor Heitzler. Mayor Pro Tem Phillips seconded the motion. Hearing no discussion, Mayor Heitzler called for the vote. All in favor, none opposed. Motion carried.

Mayor Heitzler stated item number six was another annexation of a piece of property owned by Daniel Island Development.

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 KNOWN AS, TMS#222-07-00-003 (NORTH MAIN STREET, SUMMERVILLE, SC), INTO THE CITY OF GOOSE CREEK, A SOUTH CAROLINA MUNICIPAL CORPORATION (Carnes Crossroads) (Second and Final Reading)

Mayor Heitzler inquired if City Council wished to take any action. Councilmember Green-Fletcher made a motion to adopt the proposed Ordinance, as stated by Mayor Heitzler. Councilmember Cox seconded the motion. Hearing no discussion, Mayor Heitzler called for the vote. All in favor, none opposed. Motion carried.

Mayor Heitzler stated item number seven was another annexation ordinance for the property located at 2424 North Main Street.

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 KNOWN AS, 2424 NORTH MAIN STREET, SUMMERVILLE, SC (TMS# 222-07-00-004), INTO THE CITY OF GOOSE CREEK, A SOUTH CAROLINA MUNICIPAL CORPORATION (Carnes Crossroads) (Second and Final Reading)

Mayor Heitzler inquired if City Council wished to take any action. Councilmember Condon made a motion to approve the proposed Ordinance, as stated by Mayor Heitzler. Councilmember Esarey seconded the motion. Hearing no discussion, Mayor Heitzler called for the vote. All in favor, none opposed. Motion carried.

Mayor Heitzler stated item eight was to rezone property from Conservation Open Space to General Commercial.

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 FOLLOWING PROPERTY: THE PROPERTY LOCATED ALONG NORTH MAIN STREET (TMS#222-07-00-003) FROM CONSERVATION OPEN SPACE (CO) TO GENERAL COMMERCIAL (GC) (Introduction and First Reading)

Mayor Heitzler inquired if City Council wished to take any action. Councilmember Green-Fletcher made a motion to adopt the proposed Ordinance, as stated by Mayor Heitzler. Mayor Pro Tem Phillips seconded the motion. Hearing no discussion, Mayor Heitzler called for the vote. All in favor, none opposed. Motion carried.

Mayor Heitzler stated item number nine on the agenda was the first reading of another piece of property to be rezone from Conservation Open Space to General Commercial.

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 FOLLOWING PROPERTY: THE PROPERTY LOCATED ALONG NORTH MAIN STREET (TMS#222-07-00-004) FROM CONSERVATION OPEN SPACE (CO) TO GENERAL COMMERCIAL (GC) (Introduction and First Reading)

Mayor Heitzler inquired if City Council wished to take any action. Councilmember Esarey made a motion to approve the proposed Ordinance, as stated by Mayor Heitzler. Councilmember Condon seconded the motion. Hearing no discussion, Mayor Heitzler called for the vote. All in favor, none opposed. Motion carried.

Mayor Heitzler stated item number ten was the first reading for a rezoning request from Residential to General Commercial. Mayor Heitzler stated the Planning Commission voted six to zero against the rezoning. Mayor Heitzler stated many of the residents that live in Foxborough are opposed to the rezoning of this property due to concerns over additional traffic. Mr. Joel Arenson inquired how the development of this piece of property will impact the plans of building a Central Park. Mayor Heitzler stated it would be two different land uses butting each other. Councilmember Habib stated they may complement each other.

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 FOLLOWING PROPERTY: THE PROPERTY LOCATED ALONG OLD MONCK'S CORNER ROAD (TMS# 234-00-00-146) FROM LOW DENSITY RESIDENTIAL (R-1) TO GENERAL COMMERCIAL (GC) (Introduction and First Reading)

Mayor Heitzler inquired if City Council wished to take any action. Mayor Pro Tem Phillips made a motion to deny the proposed Ordinance. Councilmember Green-Fletcher seconded the motion. After a brief discussion, Mayor Heitzler called for the vote. All in favor, none opposed. Motion carried.

Mayor Heitzler stated the next item was a resolution that is opposing the South Carolina State House Business License Bill 11.3650 and 11.3651. Mayor Heitzler stated the bill would allow for the management of Business Licenses to be moved from the Municipal Association to the Secretary of State in the State of South Carolina. This bill will also change how the amount of money that can be collected by the Business License. Mayor Heitzler stated the way the bill is currently proposed it will cut the revenue stream that the City uses to operate; such as the ability to hire police and firefighters and pay their salaries. Mayor Heitzler stated the deficient in this revenue would force the City to lay off half of its police officers as well as having to raise taxes. Mayor Heitzler stated he strongly opposes this bill and is in favor of a Resolution to go on record of being opposed. Mr. Joel Arenson inquired if most municipalities in the area are opposed to this bill and what is the likelihood this bill to pass through the legislature. Mayor Heitzler stated it will get passed because most of the General Assembly are elected by rural electors not municipal electors. After a lengthy discussion, Mayor Heitzler read the title of the resolution.

**RESOLUTION OPPOSING SOUTH CAROLINA STATE HOUSE BILLS H.3650 AND H.3651 – BUSINESS LICENSE TAX (First and Final Reading)**

Mayor Heitzler inquired if City Council wished to take any action. Mayor Pro Tem Phillips made a motion to approve the proposed Resolution, as stated by Mayor Heitzler. Councilmember Habib seconded the motion. Councilmember Habib encourages the audience to e-mail every member of the House of Representative on the South Carolina State website to oppose this bill. After a brief discussion, Mayor Heitzler called for the vote. All in favor, none opposed. Motion carried.

Mayor Heitzler read item twelve on the agenda which is a request for proposal for the lease purchase of three sanitation trucks. Financing will be through BB&T at \$460,000 for five years at 1.98%.

**RESOLUTION APPROVING FINANCING TERMS (Sanitation Truck) (First and Final Reading)**

Mayor Heitzler inquired if City Council wished to take any action. Councilmember Cox made a motion to adopt the proposed Resolution, as stated by Mayor Heitzler. Councilmember Condon seconded the motion. Hearing no discussion, Mayor Heitzler called for the vote. All in favor, none opposed. Motion carried.

**V. Department Reports:**

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

**Fire Department** – Mr. Joel Arenson inquired as to the opening of the new Headquarters Station. Chief Chapman stated he still did not have a date.

**Department of Public Works (DPW)** – Mr. Theo Sotirolou from Gibbes Forest inquired as to why he is paying \$45.00, a quarter to have someone else pick up his recycling. Mr. Price stated quarterly recycling was through a private company contracted through Berkeley County. Mr. Sotirolou inquired if the City can offer its own recycling program. Mr. Price stated it is enormously expensive as it would require additional manpower and additional equipment. Mr. Price stated one of the reasons he was paying more quarterly for the recycling program was because there is not a market for the materials. He stated municipal recycling programs are running into this on a larger scale; they have no place locally to bring them recycle materials and hence must take these to Horry County in the Myrtle Beach area to be processed.

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

**Recreation Department** – Mr. Stuber stated baseball, softball and soccer would be starting in three (3) weeks.

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

**Public Information Officer/Annexation Coordinator** – Mr. Johnson stated the BBQ Festival was scheduled for April 22, 2017, and as of that afternoon they were still looking for amateur BBQ cooking teams. The Giant Goose Creek Yard Sale was scheduled for Saturday April 8, 2017, at the Casey Center.

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

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

**Request to Purchase Public Works** – Mr. Broom stated he had a request to purchase three (3) Rear-Loading, Tandem Axle, Heavy Duty Refuse Collection Trucks; these trucks will be used to collect household garbage and yard debris; and will replace three (3) trucks that are in poor condition. Mr. Broom stated City staff recommended purchasing Pak-Mor R230B 30 Cubic Yard/ 2018 Freightliner M2-106 truck chassis from Amick Equipment Company in Lexington, SC. Mr. Broom stated this recommended purchase was the third cheapest out of nine (9) proposals that was received at \$460,230. The cost to finance the truck over five (5) years at that low bid of 1.98% is \$25,096.60. The total expenditure requested is \$485,326.60 to which the expenditure is in the 2017 Sanitation Division Budget under Vehicles.

Mayor Heitzler inquired if City Council wished to act on this request. Councilmember Green-Fletcher made a motion to approve the purchase, as stated by Mr. Broom. Mayor Pro Tem Phillips seconded the motion. Councilmember Habib inquired if the bid was for a specific kind of truck and a specific kind of packer. Mr. Price stated no, there was not a specific make that was requested. Councilmember Habib inquired if there was a specific make he would rather have. Mr. Price stated no. Hearing no further discussion, Mayor Heitzler called for the vote. All in favor, none opposed. Motion carried.

**Request to Hire Crowfield Gold Course:** - Mr. Broom stated he had a request from the Golf Course Superintendent to hire contractors to reshape and side bunker faces, perform bunker drainage repairs, replace sand in bunkers and repave the cart path on hole thirteen (13). Mr. Broom stated staff recommended hiring the low bidder Southeastern Golf, Inc. of Tifton GA to perform the bunker work in the amount of \$220,500. Mr. Broom stated staff recommended hiring the low bidder, First Constructions Management, LLC of Hanahan, SC. to perform the cart path work in the amount of \$29,226.17. The cart path projects include removing and replacing 795 feet of old cart path and installing 500 feet of 10x6 curbing. Mr. Broom stated the total expenditure requested for both projects was \$249,729.17.

Mayor Heitzler inquired if City Council wished to act on this request. Councilmember Habib made a motion to approve the expenditure, as stated by Mr. Broom. Councilmember Condon seconded the motion. After a brief discussion, Mayor Heitzler called for the vote. All in favor, none opposed. Motion carried.

**VII. Mayor's Report:**

**Continue Interaction with Others (Item 4 of the City's 2016 Goals & Objectives):** Mayor Heitzler stated he chairs the Charleston Area Transportation Study Committee (CHATS) and represents the entire tri-county area on overseeing the roads. Mayor Heitzler stated he is also the Chairman of the Santee Cooper Regional Water Authority, he sits on the Executive Board of the Charleston Regional Development Alliance and is also on the Executive Board of Berkeley Charleston Dorchester Council of Governments.

**VIII. Comments from the Audience:**

Mr. Joel Arenson inquired as to how the City can compare the quality of the sanitation trucks since the City did not specify a model or manufacturer when requesting bids. Mayor Heitzler stated this recommendation was made based on the specifications of the vehicles, the knowledge and experience of the Department of Public Works (DPW) Director that deals with the trucks daily, as well as the supervisor over the Garage Division. Mr. Price stated in his packet that was sent for bid, it did state that specifications were needed; we do not specify the make and manufacture, this way we have a wide range of proposals.

Mr. Theo Sotiropoulos stated he understood the financial aspect of recycling but it makes a statement about our community and suggested the City consider the expense of having a recycling program. Councilmember Condon stated at this point it would not be beneficial to get into recycling because Berkeley County was in the process of contracting with RePower South to build a facility at the landfill to which our garbage will be sent and the recyclables will be sorted.

**IX.** Councilmember Esarey made a motion to adjourn. All in favor, none opposed. Meeting adjourned at 8:23 p.m.

Date: April 11, 2017

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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.*