

City Council Meeting
October 10, 2017
7:00 P.M.
City Hall

Council Members Present:

Mayor Michael J. Heitzler; Councilmember Debra Green-Fletcher; Councilmember Brandon L. Cox; Councilmember Gregory Habib; Councilmember Kevin M. Condon; Councilmember James R. (Kimo) Esarey

Council Members Absent:

Mayor Pro Tem Mark A. Phillips

Staff Present:

City Administrator Jake Broom; Assistant City Administrator Daniel Moore; City Clerk Kelly J. Lovette; Finance Director Tyler Howanyk; Fire Chief Steve Chapman; Director of Planning and Zoning Kara Browder

Staff Absent:

None

Invocation:

Mr. Jerry Glass

Pledge of Allegiance:

Mayor Heitzler

Press Present:

Ricky Dennis, Goose Creek Gazette

Guests Present:

I. Call to Order:

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

II. Comments from the audience

There were no comments or questions.

III. Approval of Previous Minutes:

City Council Meeting – September 19, 2017

Councilmember Esarey made a motion to approve the minutes, as stated by Mayor Heitzler. Councilmember Condon seconded the motion. All in favor, none opposed. Motion carried.

IV. Public Hearings:

Mayor Heitzler read the title to the first item under Public Hearings:

AN ORDINANCE TO RAISE REVENUE AND ADOPT A BUDGET FOR THE CITY OF GOOSE CREEK, SOUTH CAROLINA, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2018 AND ENDING DECEMBER 31, 2018 (Introduction and First Reading)

Mayor Heitzler stated if City Council passes the budget, the average homeowner will pay an additional \$13.50 in 2018. Mayor Heitzler recognized Mr. Jerry Glass who stated it may be helpful if the logic that supports the need to raise taxes was explained. Mr. Glass stated he attended the City Council Workshop and clarified that there is a need to support a State mandated increase in employee benefit packages, as well as other items. Councilmember Green-Fletcher explained the increase the City needs to pay into the State Retirement Fund is around \$477,000 and that the City also needs revenue for other items such as street lights, painting and additional matters. Councilmember Cox stated that the State Retirement System was a major reason for the increase in taxes. Mayor Heitzler stated the State of South Carolina manages the State Retirement System, but that management had allowed the funds to depreciate to the point where there was not enough money to

accommodate the retirement requirements. Due to lack of managing the retirement fund, the State of South Carolina sent the City a bill in the estimated amount \$487,000 of which the City must pay.

Mayor Heitzler inquired if City Council wished to act. Councilmember Green-Fletcher made a motion to adopt the proposed Ordinance, as stated by Mayor Heitzler. Councilmember Esarey seconded the motion. Councilmember Habib stated using the retirement requirements as the reasoning for the increase in taxes was a lazy justification. Councilmember Habib stated several members on City Council tried very diligently to mitigate those increases by decreasing other expenditures; realizing that for the next five (5) years the City was going to deal with these increases again. He stated a plan was devised to save the City almost a quarter of a million dollars, however, not everyone agreed. Councilmember Habib stated it may be true at some point the City will need to raise taxes to meet the needs of the City, but using the increase in State retirement to sell it to the constituents was not necessary. Councilmember Esarey stated he understood Councilmember Habib's stance; however, the plan that was devised eliminates most of the City's Maintenance Division which oversees mowing the Right of Ways and cleaning ditches. Councilmember Esarey stated he did not agree that the Maintenance Division needed to be eliminated in a 3-week period, which was why he voted against the idea. Councilmember Cox stated Councilmember Esarey shared a valid point regarding ditches and stated the safety of our residence was paramount. Councilmember Cox stated a point that was overlooked was that a substantial portion of what the Maintenance Division has taken over is Berkeley County's responsibility. Councilmember Cox stated we need to retool our interactions with the people responsible and have them do the job that our residents are paying them to do with our Berkeley County taxes. Councilmember Habib stated City Council does not know what can or cannot be done because we do not make tough, uncomfortable decisions. Hearing no further discussion, Mayor Heitzler called for the vote.

Mayor Heitzler – Yes
Councilmember Esarey – Yes
Councilmember Green-Fletcher – Yes
Councilmember Habib - No
Councilmember Cox – No
Councilmember Condon - No

Motion failed.

The second item under Public Hearing was a proposed Ordinance that would allow chickens within the City limits. Mayor Heitzler recognized Mr. Jerry Glass who stated he does not want his neighbors to have chickens, especially unrestricted because he does not want them to fly and defecate in his yard. Discussions continued regarding how chickens would be regulated by the proposed Ordinance. Mayor Heitzler recognized Mr. Jeff Whitehead who stated he has not lived in Goose Creek for very long, however he has had chickens all his life. Mr. Whitehead stated they are very easy to care for if done properly; they are quiet, provide wonderful compost, fresh eggs and are very friendly animals that generally do not cause harm. Mayor Heitzler read the title to the proposed ordinance.

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF GOOSE CREEK, SOUTH CAROLINA, BY AMENDING TITLE IX: GENERAL REGULATIONS CHAPTER 90 ANIMALS AND FOWL AND REPEALING SUBSECTION (H) OF SECTION 90.06 ANIMAL CARE, AND ADOPTING SECTION 90.15 KEEPING OF DOMESTIC FOWL (Introduction and First Reading)

Mayor Heitzler inquired if City Council wished to act. Councilmember Cox made a motion to adopt the proposed Ordinance, as stated by Mayor Heitzler. Councilmember Esarey seconded the motion. Councilmember Cox stated he liked the fact this was an issue they were confronting. Hearing no further discussion, Mayor Heitzler called for the vote.

Councilmember Cox – Yes
Councilmember Esarey – Yes
Mayor Heitzler – Yes
Councilmember Habib – No
Councilmember Condon – No
Councilmember Green-Fletcher – No

Motion failed.

Mayor Heitzler stated the next item on the Agenda was a proposed Ordinance concerning bees. Mayor Heitzler recognized Mr. Jerry Glass who stated during the recent City Council Workshop it was his understanding the City was proposing to allow up to four hives and inquired if that was correct. Mr. Glass stated his concern was that bees go into whatever is necessary to collect the materials they need to build their hives and manufacture their honey. Mr. Glass stated that means they can go into his yard, get into his flowers, get into his clovers and get into his soda can if he is drinking one outside. Mr. Glass

stated he was opposed to that many bees in a residential community. Mayor Heitzler recognized a gentleman from the audience who stated he was in favor of the proposed Ordinance. Mayor Heitzler recognized Mr. Hal Cantrell who stated he has a very vivid memory of getting about fifty (50) feet of his father's bee hive when he was a child and got chased. Mr. Cantrell stated he wished to suggest the proposed Ordinance to state how close beehives could be regarding the public.

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF GOOSE CREEK, SOUTH CAROLINA, BY AMENDING TITLE IX: GENERAL REGULATIONS CHAPTER 90 ANIMALS AND FOWL SECTION 90.01 DEFINITIONS AND ADOPTING SECTION 90.16 APICULTURE (Introduction and First Reading)

Mayor Heitzler inquired if City Council wished to act. Councilmember Condon made a motion to adopt the proposed Ordinance as presented by Mayor Heitzler. Councilmember Cox seconded the motion. Councilmember Cox stated his wife has been a beekeeper in the past and he has been around them. He stated bees are a very safe species, are good for the environment, are endangered, and they are not as scary as people make them out to be. Councilmember Habib stated Councilmember Cox did not bring this to City Council, he was just in support of the proposed Ordinance. Councilmember Cox stated his neighborhood would not allow for bees regardless if the proposed Ordinance passes. Hearing no further discussion, Mayor Heitzler called for the vote.

Councilmember Habib – Yes
Councilmember Cox – Yes
Councilmember Esarey – Yes
Councilmember Condon - Yes
Mayor Heitzler – Yes
Councilmember Green-Fletcher – No

Motion carried.

Mayor Heitzler stated item four on the Agenda was a proposed Ordinance regulating non-construction dumpsters. Mayor Heitzler recognized Mr. Johnson, a member of the Planning Commission, who provided some background for the proposed Ordinance. Upon Mr. Johnson's briefing, Mayor Heitzler read the title to the proposed Ordinance.

AN ORDINANCE TO AMEND SECTION 151.108 ACCESSORY USES OF THE ZONING CODE OF ORDINANCES, GOOSE CREEK, SOUTH CAROLINA, BY ADDING SUBSECTION (I) NON-CONSTRUCTION DUMPSTERS, TO REQUIRE A PERMIT FOR NON-CONSTRUCTION DUMPSTERS IN RESIDENTIAL ZONES (Introduction and First Reading)

Mayor Heitzler inquired if City Council wished to act. Councilmember Green-Fletcher made a motion to adopt the proposed ordinance, as stated by Mayor Heitzler. Councilmember Condon seconded the motion. Councilmember Condon inquired if there was a limit to the number of times someone can reapply for a permit. Mayor Heitzler stated the proposed Ordinance states you can make a request for an additional fifteen days. Councilmember Habib inquired as to why there is a difference in the number of days between a construction dumpster and a non-construction dumpster and stated he was concerned about enforcement issues being created by having two different time frames. Mrs. Browder stated the difference was that an approved building permit would be required for a construction dumpster. Hearing no further discussion, Mayor Heitzler called for the vote. All in favor, none opposed. Motion carried.

Mayor Heitzler stated the fifth item under Public Hearings was a proposed Ordinance that would allow for a change in the Zoning of property located contiguous to Old Moncks Corner Road. He stated if the proposed ordinance was passed, the property would be rezoned from Low Density Residential (R-1) to Business and Professional Office (BPO). Mayor Heitzler recognized Mr. Jerry Glass who stated some concerns to City Council regarding rezoning the property. Mayor Heitzler recognized Mr. Jerry Tekac who stated the property was adjacent to commercial property and would have a common use to convert to business. Mr. Tekac stated if it was surrounded by residential than he would have an issue with it, but it was not. Mayor Heitzler recognized Mr. Alan Wall, Chairman of the Planning Commission, who stated the owner of the property presented a legitimate drawing of his land which included five acres of useable space. He stated the Planning Commission felt that if the five acres of residential land was built upon, it would create more traffic on Old Moncks Corner Road which is already problematic. He stated the Planning Commission suggested that since the property is located next to commercial property it could use the new zoning. Mayor Heitzler recognized Mr. Johnson who stated that if it stays R-1, the houses that are built will have their sides against General Commercial property which can be aggressive. Mr. Johnson further stated one of the things to consider, regarding traffic, is that creating employment reduces potential for traffic. With this being an office type use, it should be a very respectable career and certainly an attractive location for residents to live in Goose Creek, work in Goose Creek and not have to make those extra trips on the roadways. Mayor Heitzler read the title to the proposed Ordinance.

AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF GOOSE CREEK, SOUTH CAROLINA, BY CHANGING THE ZONING CLASSIFICATION OF THE FOLLOWING PROPERTY: THE PROPERTY LOCATED ALONG OLD MONCKS CORNER ROAD (TMS#234-00-00-146) FROM LOW DENSITY RESIDENTIAL (R-1) TO BUSINESS AND PROFESSIONAL OFFICE (BPO) (Introduction and First Reading)

Mayor Heitzler inquired if City Council wished to act. 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 the last item under Public Hearings was a Resolution. He stated if approved, the Resolution would establish a Naming Policy for the City.

A RESOLUTION APPROVING AND ESTABLISHING A CITY OF GOOSE CREEK NAMING POLICY (First and Final Reading)

Mayor Heitzler inquired if City Council wished to act. Councilmember Green-Fletcher made a motion to approve the proposed Resolution, 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.

V. Monthly Department Report:

Fire Department (Fire Chief Steve Chapman) – Chief Chapman thanked Mayor Heitzler and City Council for giving him a few minutes to brief them on activities relating to the Fire Department. Chief Chapman stated 2017 has really been a banner year for the Fire Department, it marked their first full year in Fire Station III. This location has proven to be ideal as it has greatly reduced response times for the northern end of the City. In 2016, Fire Station III responded to seven hundred and eight-four (784) incidents. In 2017, it responded to seven hundred and sixty-four (764) incidents and expects to be over a thousand (1,000) by the end of the year. In April of this year, the Fire Department moved into its headquarters. The Training Room located inside Headquarters has been a big hit as there is an aggressive schedule over the next several months for training for various departments.

Chief Chapman stated the Fire Department's monthly reports show its call volume continue to rise every year. Of course, the more residences and businesses that come into the City the busier it will become. Chief Chapman stated there was an issue he wanted to bring before City Council. In the last five years, the Fire Department has responded to a significant increase in false alarms totaling 855. In 2017, so far, the Fire Department has responded to one hundred and 169 false alarms. Chief Chapman is concern that that 50% of those false alarms is coming from one property. As the city grows, and businesses and buildings become more diverse, more alarms systems are being installed. These alarm systems are generating additional false alarms due to malfunction to which response teams are being sent. Chief Chapman stated there are some municipality that provide an ordinance, or reimbursement to the city for the expense of running these kinds of calls. He stated 15 to 20 years ago this was not a problem. Today, the City has so many facilities that have alarms, this might be the time to look at an ordinance that may help recouped some of the expenses for repeating calls.

Chief Chapman stated an issue the Fire Department has had this year is its staffing level. One of the most difficult positions to fill is Firefighter/Paramedic which is needed to run the Emergency Medical Service (EMS) system. Currently, there is a shortage in South Carolina and across the country for EMS workers. He stated currently the Fire Department has 3 opening for Firefighter/Paramedics and has not received many applications to fill these positions. This year EMS has experienced significant changes as it has separated from the Berkeley County System. This separation means the City now manages its own licenses, has its own Medical Control Physician, and provides continuing education for certification every three years to EMT's and Paramedics for the national registry.

Chief Chapman stated that soon he will be working with the administration on apparatus replacements stating that 2015 was the last time a fire truck was purchased and it was for Fire Station III. Chief Chapman stated he was looking to work with some departments in the State to create an apparatus replacement plan as currently he does not have one. Chief Chapman thanked City Council for their support. Councilmember Habib thanked Chief Chapman and the Fire Department for the service they provided his father when his mother called 911.

City Administrator's Report:

Purchase Request – Ford Explorer (Grant Funded, Police Department) - Mr. Broom presented to City Council a request to purchase one (1) Ford Interceptor Explorer and associated equipment and stated the SUV will be assigned to a grant funded DUI Enforcement Officer, City staff has requested to purchase the SUV and equipment for a total of \$42,951.02 from

Vic Bailey Ford (Spartanburg, S.C.) and Global Public Safety (Roebuck, S.C.), both state contract vendors. Mr. Broom stated Lt. Joshua Battista was in attendance to answer any questions as he was the one who applied for and was awarded the grant.

Mayor Heitzler inquired if City Council wished to act. Councilmember Habib made a motion to approve the request, as presented by Mr. Broom. Councilmember Cox seconded the motion. Councilmember Cox and Mayor Heitzler thanked Lt. Batista. Councilmember Habib inquired as to the restrictions of the DUI officer. Lt. Batista stated the officer would be restricted to traffic enforcement, specifically an enforcement unit and the officer can be used to respond to collisions and emergencies, but he is strictly for enforcement. There is an educational component required for the grant that the DUI Officer must provide teachings such as meeting with citizens, high schools, and churches, to discuss DUI's. Councilmember Condon inquired if there was extra training for the DUI Officer. Lieutenant Batista stated the officer that was selected has training already, however an objective of the grant is the officer will receive the annual training through the Prosecution Commission. He stated this is annual training held by the State to train the DUI Officer to present and assist with the prosecution on DUI cases. Councilmember Condon inquired if the officer will be called to a potential stopped vehicle that may have a DUI. Lt. Batista stated he can be used as a resource by the officers that are in the field to assist, investigate and in prosecuting DUI's, if needed. Hearing no further discussion, Mayor Heitzler called for the vote. All in favor, none opposed. Motion carried.

VI. Mayor Report:

Mayor Heitzler did not present the Mayor's Report due to time.

VII. Comments from the Audience:

Mayor Heitzler stated due to time and the uncertainty of how long City Council would be in Executive Session he inquired if there were any comments or questions from the audience.

Mayor Heitzler recognized a lady from the audience who inquired if the Zoning for Monarch Plantation was complete. Mayor Heitzler stated that question has been settled, the owner may present another concept for that property. Mayor Heitzler recognized Ms. Annette Beyanke who stated she works with the Clerk of Court's Office and was the Chief Deputy Clerk of Court for Berkeley County. She stated she would be filing to be the Clerk of Court for Berkeley County in March 2018 and will be out on the campaign trail.

VIII. Executive Session

Mayor Heitzler stated 2 items would be discussed in Executive Session and both concerned personnel matters. Councilmember Condon made a motion to go into Executive Session. Councilmember Cox seconded the motion. Mayor Heitzler called for the vote. All in favor, none opposed. Motion carried. (8:07 pm)

Councilmember Condon made a motion to come out of Executive Session. Councilmember Habib seconded the motion. Mayor Heitzler called for the vote. All in favor, none opposed. Motion carried. (8:16 pm)

Mayor Heitzler stated while in Executive Session City Council discussed Employee of the Year. Councilmember Green-Fletcher made a motion to nominate the Employee of the Year Award go to the employee from the Administration Department. Councilmember Condon seconded the motion. Mayor Heitzler called for the vote. All in favor, none opposed. Motion carried.

Mayor Heitzler stated the second item dealt with matters regarding promotion. City Council took this information under advisement and will have an opportunity to act in the future.

IX. Adjournment:

Councilmember Esarey made a motion to adjourn. Councilmember Green-Fletcher seconded. All in favor, none opposed. Meeting adjourned at 8:16 p.m.

Date: November 14, 2017

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.