

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

Council Members Present:

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

Council Members Absent:

None

Staff Present:

City Administrator Jake Broom; City Clerk Kelly J. Lovette; Chief of Police 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 Sarah Hanson

Staff Absent:

None

Invocation:

Frank Strunk

Pledge of Allegiance:

Frank Strunk

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:

Ms. Nichole Louise Jack thanked Chief Becker for Police Department saving her life.

III. Approval of Previous Minutes:

- 1) Special City Council Meeting - November 15, 2016
- 2) Special City Council Meeting – November 16, 2016
- 3) City Council Strategic Planning Workshop – November 30, 2016
- 4) City Council Meeting – December 13, 2016

Councilmember Green-Fletcher requested a correction be made to the minutes from the Special City Council Meeting on November 15, 2016, and asked they reflect that she was present at the meeting. Mayor Heitzler inquired if City Council would like to approve the minutes with that correction. 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 stated the first item under Public Hearings was the second and final reading to some property that had been previously annexed into the City, at this time he 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 CREK BY CHANGING THE ZONING CLASSIFICATION OF THE FOLLOWING PROPERTY:

THE PROPERTY LOCATED ON OLD SUMMERVILLE ROAD, DESIGNATED AS TMS# 222-00-00-140, FROM CONSERVATION OPEN SPACE (CO) TO HIGH DENSITY RESIDENTIAL (R-3) (Second and Final Reading)

Mayor Heitzler inquired if City Council wished to take any action. Councilmember Condon made a motion to change the zoning from Conservation Open Space (CO) to High Density Residential (R-3), 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 the next item was a proposed Ordinance that would amend the City's Zoning Ordinance. He stated the proposal was require that within one (1) year of the decisions made by the Architectural Review Board (ARB) would have to be established by the individual/developer and if the time were to lapse without beginning the development, the individual would have to reapply with the ARB and begin the process over. He stated right now, there was no time limit. Mayor Heitzler read the title to the proposed Ordinance.

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF GOOSE CREEK, SOUTH CAROLINA, TO PROVIDE FOR CHANGES TO SECTION 151.190(E) ARCHITECTURAL REVIEW BOARD DUTIES AND POWERS, TO THE ZONING ORDINANCE OF THE CITY OF GOOSE CREEK (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. 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 next item would amend a section of the City's Zoning Map. Mayor Heitzler read the title to the proposed Ordinance.

Mayor Heitzler explained the location of the properties located on Carol Drive (Colonial Heights). Mayor Heitzler recognized Mr. Jerry Glass who stated he did not support the proposed Ordinance and he has not met anyone who resides in Colonial Heights who was in favor of the change in zoning to the properties in question (Items number 3 and 4 on the Agenda). Mr. Glass presented City Council with those reasons. Mayor Heitzler recognized Mr. Allan Wall, Chairman of the Planning Commission, who stated the Planning Commission did not receive a recommendation from City staff and at this time he proceeded to give a thorough explanation as to the reason they made their decision. Mayor Heitzler recognized Ms. Amanda Moyer, a resident of Colonial Heights, who expressed her opposition to the proposed Ordinance. Mayor Heitzler recognized Mr. Randy Bates, The Edge of Folly, LLC, owner of said proposed property who thoroughly explained the plan and idea of developing the proposed property. Mayor Heitzler recognized Ms. Mary Gore, resident of Colonial Heights, who also expressed her concerns for the development of the proposed property and the impact it will have on property owners within Colonial Heights. It was noted that several residents from Colonia Heights were present at the meeting that evening.

Mayor Heitzler inquired if City Council wished to take any action. Mayor Pro Tem Phillips cited sections of the City's Zoning Ordinance and his opinion as it relates to those sections and he did not feel the changes within the proposed Ordinance justified approving the request. Councilmember Habib stated his concerns and opinion as they relate to the City's Comprehensive Plan and the zoning of the property at that time. Councilmember Green-Fletcher stated she did not wish to continue the discussion on the proposal and that she wished to move forward with City Council voting that evening. Councilmember Condon stated he agreed with the comments made by Councilmember Habib and stated there were plenty of examples, very similar to this situation, throughout the City and he had some reservations shown in Appendix B of the Zoning Ordinance. Councilmember Esarey stated he was a little in the middle as to his thoughts and that Councilmember Habib made several good points, as well as Councilmember Green-Fletcher. Councilmember Cox stated he agreed the description of the zoning should be reevaluated and cleaned up and that City Council should move forward with making a decision that evening and the issue could be readdressed at a later date as to what could be placed at that location. Mayor Heitzler stated he was going to read both of the proposed Ordinances, number 3 and 4 on the Agenda.

Mayor Heitzler inquired if City Council wished to act. Hearing nothing, he moved on to read the title of the next 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 FOLLOWING PROPERTY:

THE PROPERTY LOCATED ON NORTH GOOSE CREEK BOULEVARD, DESIGNATED AS TMS# 234-00-00-019, FROM LOW DENSITY RESIDENTIAL (R1) TO RESTRICTED COMMERCIAL (RC) (Introduction and First Reading)

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 FOLLOWING PROPERTY:

THE PROPERTY LOCATED ON CAROL DRIVE, DESIGNATED AS TMS# 234-00-00-074, FROM LOW DENSITY RESIDENTIAL (R1) TO RESTRICTED COMMERCIAL (RC) (Introduction and First Reading)

Mayor Heitzler inquired if City Council wished to act. Hearing nothing, Mayor Heitzler stated it appeared the City was growing and that City Council did not feel satisfied with its current Zoning regulations and the City maybe needs to take a look at the regulations to see if they should maybe updated. Mayor Heitzler stated he would hope City Council would make a motion and have a second to not rezone the proposed property and to leave it residential.

Mayor Pro Tem Phillips made a motion to deny the request to rezone the properties as described in the proposed Ordinances, as stated by Mayor Heitzler. Councilmember Green-Fletcher seconded the motion. A roll call vote was requested. Mayor Heitzler stated City Council was scheduled to have a Strategic Planning session in the near future and he hoped maybe this could be part of their planning process to reform and modernize some of the language in the Zoning Ordinance. Mayor Heitzler stated if City Council denied the proposed Ordinances, the gentleman could bring back the request to City Council in future to request City Council's approval. City Council briefly discussed the time frame in which the proposal could go back before City Council and a change in classification to the property. Hearing no further discussion, Mayor Heitzler called for the vote by Ms. Lovette.

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

The proposed Ordinances are denied.

Mayor Heitzler stated the two (2) proposed Ordinances that were originally scheduled to go before City Council have been postponed, at the request of the owner of the property, until the next City Council Meeting scheduled for February 14, 2017.

POSTPONED UNTIL FEBRUARY 14, 2017 – REGULAR CITY COUNCIL MEETING - 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 ON CROWFIELD BOULEVARD AT CORPORATE PARKWAY, DESIGNATED AS TMS# 234-00-00-103, FROM PLANNED DEVELOPMENT LIGHT INDUSTRIAL (PDLI) TO PLANNED DEVELOPMENT (PD) (Introduction and First Reading)

POSTPONED UNTIL FEBRUARY 14, 2017 – REGULAR CITY COUNCIL MEETING - 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 ON CROWFIELD BOULEVARD AT CORPORATE PARKWAY, DESIGNATED AS TMS# 234-00-00-016, FROM PLANNED DEVELOPMENT LIGHT INDUSTRIAL (PDLI) TO PLANNED DEVELOPMENT (PD) (Introduction and First Reading)

V. Department Reports:

Police Department – Mayor Pro Tem Philip stated he received a nice letter from a citizen regarding a burglary to which the citizen stated the Police Department did a great job.

Fire Department – An inquiry was made as to when the Headquarters Fire Station would open. Mayor Heitzler stated it would be soon, they did not have a date at present.

Department of Public Works (DPW) – There were no questions or comments.

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

Recreation Department – There were no questions or comments.

Golf Department – There were no questions or comments,

Public Information Officer/Annexation Coordinator – Mr. Johnson stated the 2017 holiday sanitation schedule was now available.

Planning Department – No questions or comments.

VI. City Administrator's Report:

Request to Purchase Body Cameras (Police Department) – Mr. Broom stated the Police Department and the IT Department request to purchase fifty-six (56) body worn cameras and a seventeen (17) terabyte server to store the data from these cameras. The cost will be \$48,015.28. Mr. Broom stated the City has received a grant from the State in the amount of \$39,000 leaving \$9,015.28 to come from the General Fund. Mr. Broom stated the City will pursue reimbursement from the State for that portion if approved since a policy governing the use of body cameras has already been approved by the South Carolina Law Enforcement Training Council.

Councilmember Esarey made a motion to approve Mr. Broom's request. Councilmember Cox seconded the motion. Councilmember Habib inquired if the City has the funds to pay the difference if the States denies the reimbursement request to which Mr. Broom replied yes. Hearing no other discussion, Mayor Heitzler called for the vote. All in favor, none opposed. Motion carried.

Cobblestone Land Use Map (Planning & Zoning Department) – Mr. Broom stated before City Council was a request to modify the Cobblestone Development Agreement. He stated the parcel in question is located in front of the Cobblestone Village apartments on Highway 176, to which the owner would like to build a dialysis clinic. He stated the City currently does not have a traditional written development agreement, it appears a land use map was accepted in lewd of one. He stated City staff's interpretation is that the land use map, when it was approved by City Council in 2006, is to encourage commercial use which supports the surrounding residential development such as restaurants, retail and a movie theater. He stated the owner of the property, Skip Tuttle, is requesting permission to clarify the land use map to allow for all General Commercial in order to accommodate a dialysis clinic. After a lengthy discussion, Mayor Heitzler inquired if there is a motion.

Mayor Pro Tem Phillips made a motion to allow all types of General Commercial in the area shown on the Land Use Map for Cobblestone. Hearing no second to the motion. Motion failed.

Councilmember Habib made a motion to deny the proposed request. Hearing no second. Motion failed.

After some discussion between Mr. Tuttle, Mr. Broom and City Council, Councilmember Condon made a motion to agree to a dialysis clinic with the condition that Mr. Tuttle work with City staff to create a new plan use Development Agreement. Councilmember Habib seconded the motion. Mayor Heitzler called for the vote. All in favor, none opposed. Motion carried.

Audit RFP (Administration Department) - Mr. Broom stated proposals for a five (5) year audit term was solicited to perform the City's annual audit. Mr. Broom stated City Council was responsible for selecting the auditor, but since the auditing books are prepared by staff, City staff would not be making a recommendation as to who City Council should select and information has been provided within City Council's packet as to who they should select. He stated Mayor Pro Tem Phillips has discussed wanting to see the four proposals. Mr. Broom stated a decision did not have to be made that evening. After a brief discussion amongst City Council and Mr. Broom, Mayor Pro Tem Phillips made a motion for City Council to review the proposals that have been submitted and they can make a selection at a later day. Councilmember Cox seconded the motion. All in favor, none opposed. Motion carried.

VII. Mayor's Report:

Mayor Heitzler stated he was not going to give a report that evening.

VIII. Comments and Questions:

There were no questions or comments.

IX. Adjournment:

Councilmember Esarey made a motion to adjourn. All in favor, none opposed. Motion carried. Meeting adjourned at 8:40 p.m.

_____ Date: February 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.