

City Council Meeting
May 8, 2018
7:00 P.M.
City Hall

Council Members Present:

Mayor Gregory S. Habib; Mayor Pro Tem Kevin Condon; Councilmember Debra Green-Fletcher; Councilmember Brandon L. Cox; Councilmember Jerry Tekac; Councilmember Corey McClary

Council Members Absent:

None

Staff Present:

City Administrator Jake Broom; Assistant City Administrator Daniel Moore; City Clerk Kelly J. Lovette; Major John Grainger; Director of Public Works Chuck Denson; Public Information Officer Frank Johnson; Director of Planning and Zoning Kara Browder; Director of Information Technology Ryan Byrd

Staff Absent:

Invocation:

Pastor John Davis, Summit Church

Pledge of Allegiance:

Mayor Habib

Press Present:

Guests Present:

I. Call to Order:

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

II. Comments from the audience

Mayor Habib thanked Pastor Davis for the invocation. Mayor Habib stated that Public Comments will be handled differently in that the audience will now speak at the podium and limit their time to two (2) minutes, and added the meetings are now being streamed live which was the reason for the change. Mayor Habib recognized a gentleman from the audience who stated he appreciated City Council's consideration for naming the new gymnastic's center after the former Mayor, Michael Heitzler. Mr. Jerry Jacobson stated he agreed that the new gymnastic center should be named after former Mayor Heitzler to show appreciation for his forty (40) years of service to the City. Mayor Habib thanked the audience for their comments.

III. Approval of Previous Minutes:

City Council Meeting – April 10, 2018

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

IV. Executive Session

Mayor Habib stated City Council needed to discuss a contractual issue regarding the proposed sale of the property located at 101 Button Hall Avenue (Old Fire Station Headquarters). Councilmember Condon made a motion to go into Executive Session. Councilmember Cox seconded the motion. All in favor, none opposed. Motion carried.

(7:07 p.m.) Councilmember Tekac made a motion to come out of executive session. Councilmember Condon seconded the motion. All in favor, none opposed. Motion carried (7:15 p.m.)

V. Public Hearings:

Mayor Habib stated the first item under public hearings was to appoint a Mayor Pro Tem, as Mr. Phillips did not seek re-election. Mayor Habib requested City Council make a nomination for Mayor Pro Tem. Councilmember Cox made a motion to nominate Councilmember Condon as Mayor Pro Tem. Mayor Habib inquired if there were any other nominations. Following no further nominations, Mayor Habib called for the vote. All in favor, none opposed. Motion carried. Mayor Habib congratulated Mr. Condon on being the City's new Mayor Pro Tem.

Mayor Habib stated the City would not be where it is today without the leadership of Mayor Heitzler. He stated two (2) days after the election City Council started working on a way to honor him and that the regard City Council has for Mayor Heitzler was significant and City Council appreciates everything he has done for the community.

Mayor Habib read the title to the proposed Resolution:

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF GOOSE CREEK, SOUTH CAROLINA, TO NAME THE RECREATION COMPLEX LOCATED AT 519-A NORTH GOOSE CREEK BOULEVARD IN HONOR OF MAYOR MICHAEL J. HEITZLER - (First and Final Reading)

Mayor Habib stated, provided City Council agrees to the Resolution, the naming of the Recreation Complex will occur at the ribbon cutting and dedication ceremony to be held on Thursday, May 18, 2018. Mayor Habib read the resolution in its entirety.

Councilmember Green-Fletcher made a motion to approve the proposed Resolution, as stated by Mayor Habib. Councilmember McClary seconded the motion. Hearing no discussion, Mayor Habib called for the vote. All in favor, none opposed. Motion carried.

Mayor Habib stated item number three (3) on the agenda was an ordinance to annex 441 Liberty Hall Road into the City of Goose Creek. Mayor Habib inquired if the audience had any questions.

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 441 LIBERTY HALL ROAD (TMS# 244-06-00-066) INTO THE CITY OF GOOSE CREEK, A SOUTH CAROLINA MUNICIPAL CORPORATION – (Introduction and First Reading)

Mayor Pro Tem Condon made a motion to approve the annexation of 441 Liberty Hall Road, as proposed in the Ordinance. Councilmember Cox seconded the motion. Councilmember Tekac stated this parcel was owned by Berkeley County Water and Sanitation and contains a sewer pump station to which they are looking to expand into the surrounding properties. Hearing no further discussion, Mayor Habib called for the vote. All in favor, none opposed. Motion carried.

Mayor Habib read the title to the proposed Ordinance for item number four (4) on the agenda:

AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF GOOSE CREEK, SOUTH CAROLINA, BY CHANGING THE ZONING CLASSIFICATION OF THE FOLLOWING PROPERTY LOCATED AT 1027 THURGOOD ROAD (TMS#234-08-00-003) FROM CONSERVATION/OPEN SPACE (CO) TO MEDIUM DENSITY RESIDENTIAL (R2) - (Introduction and First Reading)

Mayor Habib stated the owner of this parcel would like to rezone this property and sell it to someone who wishes to build one (1) to two (2) houses on the land. He stated the Planning Commission voted on the rezoning which resulted in a tie, hence no recommendation has been provided to City Council. Mayor Habib inquired if there were any questions. Mayor Habib recognized Mr. Christopher Hochreiter who stated he was the buyer on

contract for this piece of land. Mr. Hochreiter stated he had no input as far rezoning the land as it was part of the contingency. He stated he was surprised the paperwork was submitted as Residential Medium Density (R2) versus Residential Low Density (R1). Mr. Hochreiter stated he was not able to include a letter of intent with his packet. He stated he would like to build one (1) house on the property and has no plans to subdivide the land or add a second house at this time. He stated the Planning Commission had concerns given the size of the land as being zoned R2. Mr. Hochreiter stated he did mention to his relator that the land is large enough if a time came that a family member wanted to stay on the property, the land could then be subdivided.

Mayor Habib inquired if Mr. Hochreiter would be comfortable seeking R1 verses R2. Mr. Hochreiter stated yes. Mayor Habib inquired of Mr. Broom if City Council could change the zoning with a motion. Mr. Broom stated yes, if there is a motion to rezone to R1 it could be voted on tonight.

Mayor Habib reread the title to the proposed Ordinance and inquired if City Council wished to act. Councilmember Tekac made a motion to rezone 1027 Thurgood Road from Conservation Open Space (CO) to Residential Low Density (R1). Councilmember Green-Fletcher seconded the motion. Councilmember McClary inquired if Mayor Habib would explain the difference between R1 and R2. Mayor Habib stated he would like Mrs. Browder to explain. Mrs. Browder stated the R1 zoning classification has a minimum lot size of 10,000 square feet and can be subdivided into four (4) lots. The R2 zoning classification has a minimum lot size of 8,000 square feet and can be subdivided into five (5) lots. Mayor Pro Tem Condon inquired if Mr. Hochreiter chooses to add four (4) homes onto the property, would he be required to come back for a rezoning. Mrs. Browder stated if the parcel is rezoned to R1, Mr. Hochreiter will simply have to go through the subdivision review process. Following no further discussion, Mayor Habib called for the vote. All in favor, none opposed. Motion carried.

Mayor Habib read the title to the proposed Ordinance for item number five (5) on the agenda:

AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF GOOSE CREEK, SOUTH CAROLINA, BY CHANGING THE ZONING CLASSIFICATION OF THE FOLLOWING PROPERTY LOCATED AT 101 HOLLYWOOD DRIVE (TMS # 235-13-03-043) FROM CONSERVATION/OPEN SPACE (CO) TO RESTRICTED COMMERCIAL (RC) - (Introduction and First Reading)

Mayor Habib stated the City was not aware of any specific plans for this property. The Planning Commission voted to recommend the property be rezoned to Restricted Commercial (RC). Mayor Habib inquired if City Council wished to act. Councilmember Tekac made a motion to approve the rezoning of 101 Hollywood Drive from CO to RC, as stated by Mayor Habib. Councilmember Cox seconded the motion. Mayor Pro Tem Condon inquired if this was the parcel that wanted to be rezoned residential. Mr. Broom stated item number six (6) on the agenda rezones the other two (2) lots from CO to R2. Mayor Habib inquired if the property located across the street from this parcel is in the City. Mr. Broom stated that lot was not in the City. Hearing no further discussion, Mayor Habib called for the vote. All in favor, none opposed. Motion carried.

Mayor Habib read the title to the proposed Ordinance for item number six (6) on the agenda:

AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF GOOSE CREEK, SOUTH CAROLINA, BY CHANGING THE ZONING CLASSIFICATIONS OF THE FOLLOWING PROPERTIES LOCATED AT 201 AND 203 BLOSSOM STREET (TMS #235-13-03-021 AND TMS #235-13-03-042) FROM CONSERVATION/OPEN SPACE (CO) TO MEDIUM DENSITY RESIDENTIAL (R2) - (Introduction and First Reading)

Mayor Habib recognized Mr. Jerry Glass who stated this property recently was annexed into the City as Conservation Open Space (CO) and inquired as to the County's zoning for the parcel. He stated he understands that all the other properties are Single Family Residential. Mrs. Browder stated she thinks the other properties are R1.

Mayor Habib inquired if City Council wished to act. Councilmember Tekac made a motion to approve the rezoning of 201 and 203 Blossom Street CO to R2, as stated by Mayor Habib. Mayor Pro Tem Condon seconded the motion. Councilmember Cox stated having R2 next to commercial provides a buffer and transition from the Hollywood area

into single family homes. He stated he felt this was a smart move. Hearing no further discussion, Mayor Habib called for the vote. All in favor, none opposed. Motion carried.

Mayor Habib read the title to the proposed Ordinance for item number seven (7) on the agenda:

AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF GOOSE CREEK, SOUTH CAROLINA, BY CHANGING THE ZONING CLASSIFICATION OF THE FOLLOWING PROPERTIES LOCATED ON CAROL DRIVE (TMS #234-00-00-074) AND NORTH GOOSE CREEK BOULEVARD (TMS #234-00-00-019) FROM LOW DENSITY RESIDENTIAL (R1) TO BUSINESS AND PROFESSIONAL OFFICE (BPO) - (Introduction and First Reading)

Mayor Habib stated this property is located on Highway 52 and backs up to Colonial Heights. He stated the rezoning of this property in the past was denied as both General Commercial (GC) and Restrictive Commercial (RC). Mayor Habib stated the owner is now seeking to rezone the parcel as Business Professional Office (BPO). He stated the Planning Commission recommended approving the rezoning of this property by a vote of five (5) to one (1). Mayor Habib recognized Mr. Randy Bates who is the applicate with Edge of Folly. Mr. Bates stated rezoning this parcel to BPO would offer a buffer transition from the neighborhood itself and would only be accessible from Highway 52. He stated he is willing to put a restrictive deed that runs with the land that states these two (2) parcels combine will not be accessed from Carol Drive at any point into the future. He stated currently there was a dentist who is interested in the parcel but will not sign until this property is rezoned. Mr. Bates stated if it is rezoned residential, Mr. Johnson, who is on the Planning Commission and works with the South Carolina Department of Transportation (SCDOT), stated it would increase the traffic through the neighborhood by 9.5 car trips per day. Mayor Habib recognized Mr. Glass who stated his concern was access to Carol Drive and increase traffic flow into Colonial Heights. He stated it would be appreciated that this stipulation could be made.

Mayor Habib inquired if City Council wished to act. Councilmember Cox made a motion to approve the proposed Ordinance, as stated by Mayor Habib. Mayor Pro Tem Condon seconded the motion. Councilmember Tekac stated he would like to add the restriction into this request as a contingent and inquired if the motion could be amended. Councilmember Cox stated he would like to amend the motion to rezone contingent upon a restrictive deed from R1 to BPO. Mayor Pro Tem Condon seconded the amended motion. Mayor Habib stated City Council does listen and its role is to identify appropriate development. He stated he always asked himself before he takes a vote, if he would want to live next to the property in question. He stated he feels this is appropriate for this zone. Hearing no further discussion, Mayor Habib stated all those in favor of rezoning this property on Carol Drive and North Goose Creek Blvd from Low Density Residential to Business Professional Office with the contingency that there be a deed restriction prohibiting access to Carol Drive signify by saying Ay. Councilmember Cox, Mayor Pro Tem Condon, Councilmember Tekac were in favor. Councilmember Green-Fletcher and Councilmember McClary opposed. Motion carried.

Mayor Habib read the title to the proposed Ordinance for item number eight (8) on the agenda:

AN ORDINANCE TO SELL A PORTION OF REAL PROPERTY KNOWN AS TMS# 244-05-01-032 OF THE CITY OF GOOSE CREEK, A SOUTH CAROLINA MUNICIPAL CORPORATION, IN ACCORDANCE WITH SECTION 5-7-260 (6) OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED - (Introduction and First Reading)

Mr. Broom stated the City owns an old railroad right of way that runs from Lindy Creek Road to Liberty Hall Road and crosses ten (10) to twelve (12) different parcels. He stated the City was approached by a gentleman that wanted to purchase the section of the City's parcel that crosses over his property. He would only purchase the portion that would make his parcel a complete strip of land.

Mayor Habib inquired if City Council wished to act. Mayor Pro Tem Condon made a motion to approve, as stated by Mayor Habib. Councilmember Green-Fletcher seconded the motion. Councilmember Tekac stated this property is being sold for \$5,000. Hearing no further discussion, Mayor Habib called for the vote. All in favor, none opposed. Motion carried.

Mayor Habib read the title to the proposed Ordinance for item number nine (9) on the agenda:

AN ORDINANCE TO SELL REAL PROPERTY IDENTIFIED AS 101 BUTTON HALL AVENUE (TMS# 243-04-00-008) OF THE CITY OF GOOSE CREEK, A SOUTH CAROLINA MUNICIPAL CORPORATION, IN ACCORDANCE WITH SECTION 5-7-260 (6) OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED – (Introduction and First Reading)

Mayor Habib stated this item is what was discussed by City Council in Executive Session. He stated there is an offer available for the old Fire Station. Mr. Brady stated the Request For Proposal (RFP) detailed the purchaser of this property must ensure the City that it will align with its goals located in the Economic Development Ordinance. He stated the purchaser would have the option to redevelop the building or tear it down. Mr. Brady stated the City has a firm that would like to open either a retail venture or something food and beverage related at the old fire station. He stated the firm would redevelop the fire station into something that would be a community gathering space. Mr. Brady stated the firm interested in purchasing this property is called City Volve. He stated it is local and based in Park Circle, North Charleston. He stated they have developed Marquee Station and Common House Ale Works Brewery. He stated they are willing to investigate, survey, inspect, and do environmental work on the property. Mr. Brady stated if City Volve decides not to purchase the property the information gathered will still be provided to the City which can be use going forward.

Mayor Habib stated the property was appraised at \$275,000, which is City Volve's offer. He stated City Volve is willing to seek out local businesses whose are headquartered locally in Berkeley/Charleston/Dorchester County. Mayor Habib stated at least 75% of the premise will be occupied by food and beverage, retail or art orientated businesses.

Mayor Habib inquired if City Council wished to act. Mayor Pro Tem Condon made a motion to approve, as stated by Mayor Habib. Councilmember Tekac seconded the motion. Councilmember McClary inquired if City Council approves this purchase, how soon will City Volve start. Mayor Habib stated approving an Ordinance will take two readings; after the next City Council meeting they will have sixty days from the day they signed. Councilmember Tekac inquired if the second reading will occur at the next City Council Workshop if the first is approved tonight. Mayor Habib stated yes, that can be done. He stated only votes that are necessary will be taken at workshops; since this is a time sensitive issue, it can be brought up during the next City Council workshop. Hearing no further discussion, Mayor Habib called for the vote. All in favor, none opposed. Motion carried.

VI. Monthly Department Report:

Planning and Zoning (Kara Browder) – Mrs. Browder introduced herself as the Director of Planning and Zoning and her department is made up of two (2) people, herself and Mrs. Brenda Moneer. She stated the City has climbed to eight (8) in South Carolina in total population and according to the Environmental System's Research Institute (ESRI), the City's estimated population is little over 42,000, which is an 18% increase since 2010. She stated Goose Creek is ranked between Summerville and Sumter and out of the top ten (10) most populated City's in South Carolina, Goose Creek has grown faster since 2010 compared to every city except Mt. Pleasant.

Mrs. Browder stated the Planning and Zoning department provides essential services related to land use management, development and construction throughout the City. She stated their services include customer service, zoning ordinance administration and enforcement, as well as the staffing of three boards and commissions which are The Planning Commission, The Architectural Review Board (ARB) and the Zoning Board of Appeals (ZBA). Mrs. Browder stated currently there are openings in the ARB and ZBA. She stated the Planning and Zoning department provides development plan review for subdivisions, site plans, architectural design, comprehensive planning, and flood planning management. She stated the department also handled the database management of enhanced 911 addressing system and street naming and numbering. She stated these two tasks have become very time consuming because of the amount of residential development coming into the City. She stated this department works closely with Berkeley County with these tasks. Mrs. Browder presented a power point presentation showing an overview of department activities since 2012 showing an increase in permits. She stated to date the City has issued 188 permits in the last three months. Her presentation showed the departments busiest time by month. She also presented the increase in the number of activities regarding board and commissions the last five years.

Mrs. Browder stated over the next year her department will begin working on the City's Comprehensive Plan. She stated currently the 2015 Comprehensive Plan update is being utilized which was added to the 2010 Comprehensive Plan. Mrs. Browder stated the Comprehensive Plan must be updated every ten (10) years, meaning the City's will need to be in place by 2020. Mrs. Browder stated the purpose of the Comprehensive Plan is to lay out a road map of the City's future, develop through a public process that involves stake holders, community leaders and the public. She stated the plan establishes a set of guidelines and procedures. She stated we are also looking in house to update all of our forms, including applications and guides to ensure we have a unified and consistence appearance. Mrs. Browder stated the department is also evaluating and moving towards an electronic submittal process, which a lot of municipalities have done.

Mrs. Browder stated new flood maps will be released in the fall and stated that year to date the City had 188 residential permits, of which 126 were new constructions. She stated the City has increased town home development in Coker's Commons, Lakeview Commons and Monarch Plantation. She stated Carnes Crossroads is selling at a steady pace with two new phases consisting of forty-five (45) and forty-one (41) lots as well as Liberty Village. She stated the Mackey Track is going to consist of two hundred and thirty-two (232) lots and four (4) phases. She stated Marrington Village's final phase is being built and Medway Landing is completing fifty-one (51) lots with seven (7) lots remaining and eighty (80) lots planned for future development. She stated Sophia landing construction consist of (ninety-four) 94 lots and Etiwan Place will have 64 apartment units.

Regarding commercial development, Mrs. Browder stated the City has the following: Cici's Pizza; Persimmon Hill Climate Control; Roper Hospital; Carnes Crossroads Wind Mill Station which will include several medical office buildings, child care center and two addition commercial centers; Starbucks, JW Aluminum's plant expansion; Popeyes Chicken and the plans for Goose Creek Village have been received.

Mrs. Browder praised her co-worker Mrs. Brenda Moneer as they have been very busy stating she is a true credit to the department. She stated Mrs. Moneer has been with the City for five (5) years, is very knowledge and has been a huge help in the several months that Mrs. Browder has been with the City.

VII. City Administrator's Report:

Fixed Asset Disposal Request 2009 Sanitation Truck (Public Works) – Mr. Broom stated he received a request from the Director of Public Works regarding the disposal of a 2009 Dual Side Loader Refuse Truck. He stated the truck was purchased in 2009 for \$217,143 and it suffered from consistent mechanical failures the last few years to which permanent repair became more expensive than replacement. Mr. Broom stated the truck was sold during an online auction in March for \$6937.50. He stated the City's purchasing policy states "the Department Manager will submit request to delete, remove or dispose of fixed assets with a new asset value over \$25,000 to the City Administrator who will then present the request to the Mayor and City Council for approval." Mr. Broom stated he was unaware of this portion of the policy and ask for City Council's forgiveness for the oversight. He stated the truck was sold before given permission.

Mayor Habib inquired if the asset is worth \$25,000 or more or if the City paid \$25,000 or more. Mr. Broom stated the cost minus the accumulate depreciation. He stated even though it was sold for less than \$7,000, from an accounting stand point it was still above the \$25,000 threshold.

Mayor Habib inquired if City Council wished to act on the request. Mayor Pro Tem Condon made a motion to approve the request, as presented by Mr. Broom. Councilmember Green-Fletcher seconded the motion. Hearing no discussion, Mayor Heitzler called for the vote. All in favor, none opposed. Motion carried.

Purchase Request Victim Advocate Vehicle (Police) – Mr. Broom stated he received a request from the Police Chief requesting to purchase a 2018 Ford Escape to be used by the City's Victim Advocate. He stated City staff requests to purchase this vehicle form the state contract vendor, Vic Bailey Ford of Spartanburg, S.C in the amount of \$19,428. He stated if approved, the vehicle will be purchased using the Victim Advocate Fund which has \$20,000 for this purchase in the Fiscal Year 2018 Budget.

Mayor Habib inquired if City Council wished to act on the request. Councilmember Green-Fletcher made a motion to approve the purchase, as presented by Mr. Broom. Councilmember McClary seconded the motion. Councilmember Cox inquired if the vehicle will be equipped with a decal of the City. Mr. Broom stated no, it will be a civilian car. Mayor Habib inquired whose money is contributed to the Victim Advocate Fund. Mr. Broom stated it is City money as when people are charged with a crime or issued a traffic ticket, they pay a fine, a portion goes into a Victim Assistance Fund and those funds must be used for expenditures related to the operations of the Victim Advocate. Hearing no further discussion, Mayor Habib called for the vote. All in favor, none opposed. Motion carried.

VIII. Mayor Report:

Mayor Habib thanked the audience for attending and for their patience. He stated he wanted to recognize Councilmember Green-Fletcher and her re-election to City Council and Councilmember McClary and Councilmember Tekac being elected to City Council. He stated he is excited about City Council's ability to communicate with each other at a high level as this has already been proven. He stated it is encouraging and he looks forward to working together. Mayor Habib stated moving forward, there will be changes to the structure of City Council meetings. He stated one change is the meetings will be live-streamed, as it was that night. Secondly, he asks the audience to come to the podium to speak, he also stated the order of when public comments are taken will change to bring organization to the meetings.

IX. Comments from the Audience:

Mayor Habib recognized Mr. Nash who stated recently in the Post and Courier there was a listing of the top fifty (50) Golf Courses in the State and inquired as to why Crowfield's Golf Course was not listed. Mayor Habib provided his opinion by stating South Carolina is a golfing state as there are world-class golf courses within the state and there are 50 golf courses that are more highly sought after than Crowfield. He stated that does not mean it is not a really good golf course that hosts significant events. Mayor Habib recognized a gentleman from the audience who stated the City needs to address the need for increased services such as hiring additional trash men, firemen, and police officers.

Mayor Habib stated that in reference to the Mayor's Report, comments from the audience will no longer take place at the end of the meeting, only at the beginning.

Councilmember Teak stated there is a concert held at the Golf Course this Friday May 11, 2018, and the dedication of the new gymnastic center will be held on May 18, 2018 at 10:30 a.m.

X. Adjournment:

Councilmember Teak made a motion to adjourn. Councilmember Condon seconded the motion. All in favor, none opposed. Meeting adjourned at 8:26 p.m.

_____ Date: June 12, 2018

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.