



MINUTES
CITY OF GOOSE CREEK, SOUTH CAROLINA
REGULAR CITY COUNCIL MEETING
TUESDAY, JULY 14, 2020 – 7:00 PM
CITY HALL - COUNCIL CHAMBERS
519 N GOOSE CREEK BOULEVARD

Mayor/Council Present:

Mayor Gregory S. Habib
Mayor Pro Tem Kevin Condon
Councilmember Debra Green-Fletcher
Councilmember Christopher Harmon
Councilmember Corey McClary
Councilmember Gayla McSwain
Councilmember Jerry Tekac

City Staff:

City Administrator Natalie Zeigler
City Clerk Kelly J. Lovette
Public Information Officer Frank Johnson
Director of Economic Development Matt Brady
Police Chief LJ Roscoe
Director of Planning & Zoning Mark Brodeur

Press Present:

Guests Present:

None

PURSUANT TO THE FREEDOM OF INFORMATION ACT SC CODE 30-4-80: WRITTEN NOTICE WAS DELIVERED TO THE PRESS BY EMAIL ON FRIDAY, JULY 10, 2020 AND DULY POSTED AT CITY HALL LOCATED AT 519 N GOOSE CREEK BOULEVARD, AN ACCESSIBLE FACILITY, AND ON CITYOFGOOSECREEK.COM

Mayor Habib called the meeting to order at 7:00 pm and requested Councilmember Corey McClary lead in the invocation and Pledge of Allegiance.

GENERAL PUBLIC COMMENTS:

(Note: All comments sent to the City Clerk, via US Mail or Email, as stated on the meeting Agenda, were forwarded to City Council.)

Mayor Habib recognized the following from the audience: Mr. Woody Norris, owner, and founder of Booze Pops, requested City Council immediately reconsider changing Ordinance 110.028 Mobile Vending, to allow him to operate his business inside the City limits of Goose Creek. Ms. Jade Williams, an employee of Booze Pops, requested City Council reconsider allowing the company to conduct business inside the City limits as well. Ms. Mary Kay Soto requested City Council to consider implementing a recycling program within the City. Mayor Habib thanked everyone for their comments.

APPROVAL OF MINUTES:

June 9, 2020 - Regular City Council Meeting

Motion: Councilmember Green-Fletcher; Second: Councilmember McSwain; Motion carried: All in favor.

PRESENTATIONS & PROCLAMATIONS:

None.

OLD BUSINESS & PUBLIC HEARINGS:

AN ORDINANCE OF THE CITY OF GOOSE CREEK, SOUTH CAROLINA, PROVIDING FOR THE CREATION OF AN ELECTRIC UTILITY SYSTEM; AND OTHER MATTERS RELATED THERETO (Second & Final Reading)

There were no comments from the public.

Motion: Councilmember Harmon; Second: Councilmember McClary; No discussion; Motion carried: All in favor.

AN ORDINANCE PURSUANT TO SECTION 5-3-150 (3) OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED, TO ANNEX PROPERTIES IDENTIFIED AS TMS # 223-00-00-033, # 223-00-00-034, AND # 223-00-00-035 INTO THE CITY OF GOOSE CREEK AND ESTABLISH A ZONING CLASSIFICATIONS THEREFORE; AND OTHER MATTERS RELATED THERETO (Second and Final Reading)

Mayor Habib reminded everyone these were the properties presented to City Council last month, parcels B, C and D of the acreage at Century Aluminum which totals approximately 622 acres and asked if there were any public comments at that time. There were no comments from the public.

Motion: Mayor Pro Tem Condon; Second: Councilmember Green-Fletcher; No discussion; Motion carried: All in favor.

AN ORDINANCE TO SELL REAL PROPERTY 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, PROPERTY IDENTIFIED AS, 0.055 ACRES, A PORTION OF TMS 235-00-00-035 AND, .076 ACRES, A PORTION OF TMS 235-00-00-038 (Second and Final Reading)

Mayor Habib stated this is the second and final reading of the proposed Ordinance to sell property to Berkeley County so they can collect the right-of-way to make improvements along Old Mount Holly/Montague Plantation Road/US Highway 52, known as the Henry Brown Boulevard extension project; however, Berkeley County has requested the City delay the second and final reading until the regularly scheduled City Council Meeting in August.

Motion: Councilmember Tekac; Second: Mayor Pro Tem Condon; Councilmember McClary inquired as to why Berkeley County requested the delay. Mrs. Zeigler stated the County was working through a few things with their engineer and they wanted to make sure it was the correct property being sold to them and they will be getting back with the City on the matter at hand. She added that they are still moving forward with the project, they just wanted to make sure everything is correct before City Council approves the second and final reading. Hearing nothing further, Mayor Habib called for a vote. Motion carried: All in favor.

A RESOLUTION AUTHORIZING THE CITY OF GOOSE CREEK TO ENTER INTO AN AGREEMENT WITH CHARLESTON LOCAL DEVELOPMENT CORPORATION IN A PARTNERSHIP TO CREATE A REVOLVING LOAN FUND AND ALSO INITIATE THE "KICKSTART THE CREEK" BUSINESS ASSISTANCE PROGRAM (First & Final Reading)

Mayor Habib stated the Resolution was moved from the regular June City Council Meeting because there were some other discussion points City Council wished to add. He stated there were many small businesses in and around the City of Goose Creek who may benefit from such a program as being presented.

Motion: Councilmember Green-Fletcher; Second: Mayor Pro Tem Condon; Councilmember McSwain inquired if there were any responses received back from the businesses that were sent surveys. Mr. Brady stated the City is still collecting responses from the survey; but the Revolving Loan Fund is one of the items wherein it was asked if they would be interested. He stated it is also a way for him to collect emails, so he has the ability to communicate with local businesses. He stated most responses have been where businesses would prefer something more along the lines of a Grant Program. Councilmember Harmon stated his reasons for not supporting the program and that he did not feel comfortable in lending taxpayer dollars to businesses that may never be able to pay back the City. Councilmember McSwain stated she agreed with Councilmember Harmon's comments and that although PPE is restricted to payroll and this program would be restricted to operating funds. She stated the Federal government is in the process of working on another possible stimulus package and she was inclined to wait and see what the Federal government was going to do and how the pandemic will play out on the City's revenue streams in the future to provide simple essential functions of government to our citizens. City Council continued discussions regarding the taxpayer monies that would be used fund such loans. Mayor Habib requested a roll call vote by the City Clerk.

Councilmember Tekac, yes; Councilmember McSwain, no; Mayor Pro Tem Condon, yes; Councilmember Harmon, no; Councilmember McClary, no; Councilmember Green-Fletcher, yes; Mayor Habib, yes. Four (4) in favor; three (3) opposed. Motion carried.

NEW BUSINESS & PUBLIC HEARINGS:

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 117 NELLO DRIVE (TMS 235-14-04-031) INTO THE CITY OF GOOSE CREEK, A SOUTH CAROLINA MUNICIPAL CORPORATION (Introduction and First Reading)

There were no comments from the public.

Motion: Councilmember Tekac; Second: Councilmember McClary; Motion carried: All in favor.

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF GOOSE CREEK, SOUTH CAROLINA, BY REPEALING IN ITS ENTIRETY THE CURRENT SECTIONS 110.001 TO 110.222; OCCUPATIONAL LICENSES, TAXES AND REGULATIONS AND ADOPTING IN LIEU THEREOF NEW SECTIONS 110.001 TO 110.021; OCCUPATIONAL LICENSES, TAXES AND REGULATIONS, WHICH IS ATTACHED HERETO AND MADE PART HEREOF AS IS FULLY SET OUT HEREIN (Introduction and First Reading)

Mayor Habib stated before City Council was the repeal and replacement of the City's current Business License Ordinance. He stated with the proposed Ordinance it would make life easier for businesses trying to operate in the City of Goose Creek and throughout the State of South Carolina. He stated many businesses have multiple business licenses in various municipalities and counties and the proposed Ordinance would place all local governments on a uniform application, a uniform timeframe and it would then allow the business community to access all of that through a portal designed by the Municipal Association of South Carolina (MASC). He stated MASC designed the portal and did all of this work to maintain what is a very significant revenue stream to municipalities in the State of South Carolina. Mayor Habib stated if the Legislature enacted what they thought of enacting it really would have created significant problems within the City of Goose Creek and municipalities everywhere; and, it would have impacted a significant part of our City's revenue stream.

Motion: Councilmember McSwain; Second: Councilmember Harmon; Motion carried: All in favor.

AN ORDINANCE TO SELL REAL PROPERTY 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, PROPERTY IDENTIFIED AS, 0.179 ACRE, US HIGHWAY 176, A PORTION OF TMS 209-00-01-080 (Introduction and First Reading)

Mayor Habib stated the City is selling property to Berkeley County for the US Highway 176 widening project and their right-of-way acquisition.

Motion: Councilmember Harmon; Second: Councilmember Tekac; Motion carried: All in favor.

CITY ADMINISTRATOR'S REPORT:

Request Approval of Consulting Agreement – Comprehensive Plan (Planning & Zoning Department)

Mrs. Zeigler presented City Council with a request for approval of a consulting agreement with TSW, out of Atlanta, total cost \$120,000, to finish the Comprehensive Plan in which the City partnered with the Berkeley Charleston Dorchester Council of Governments (BCDCOG) and they did a portion of the Comprehensive Plan, the Consulting Agreement is for the remainder and was budgeted for this fiscal year. She stated the City is approximately \$15,000 over budget, but it will carry over into 2021's budget because it will take about eight (8) to nine (9) months to complete. She stated TSW has partnered with several in-state firms that really know South Carolina and the area; therefore, City staff feels really comfortable with this recommendation.

Motion: Councilmember Tekac; Second: Mayor Pro Tem Condon; Motion carried: All in favor.

Request to Purchase Radio Read Equipment (Department of Public Works)

Mrs. Zeigler presented City Council with a request for approval of radio read equipment, an item that was budgeted for in the 2020 Fiscal Year Budget.

Motion: Councilmember Tekac; Second: Councilmember Green-Fletcher; Motion carried: All in favor.

Request to Approve Berkeley County EMS Agreement (Fire Department)

Mrs. Zeigler presented City Council with a request to approve the Agreement with Berkeley County EMS in the total amount of \$209,300, of which expired the end of June and she stated it was the same exact agreement from previous years.

Motion: Councilmember Tekac; Second: Councilmember Green-Fletcher; Motion carried: All in favor.

MAYOR'S REPORT:

Mayor Habib stated some may be aware that a week ago he enacted a Proclamation requiring masks to be worn inside public areas and public buildings inside the City of Goose Creek. Mayor Habib stated he had a conversation with three (3) Chief Executive Officers (CEO) of the major health system providers within the tri-county area. He stated in less than two (2) weeks, from the time that City Council as a whole considered a mask Ordinance to last Monday, hospitalizations relative to COVID19 increased by 300% in the Charleston area, and Intensive Care Units increased by nearly the same. He stated in his conversation with the CEO of Trident Health Systems, he told him that if the rate of hospitalizations continued to increase at that same rate, which would have been within two (2) weeks, that they would be unable to accommodate people who needed the care relative to COVID19. Mayor Habib stated sitting next to him is one (1) of the nurses at Trident Health Systems and he would probably speak to that as well. Mayor Habib stated at Roper Berkeley

there are six (6) ICU beds and every one of those beds is full of a COVID patient; and over 20% percent of hospitalizations in the Charleston area are occupied by COVID19 patients. He stated to put it simply, wearing a mask helps other people and that is why he ordered the wearing of one. He stated he has been applauded and ridiculed, and he is happy to take all of it, just wear your mask. He stated when your hospital CEO's are telling you, "we have a problem", even if you are wrong, you try to do what's right.

EXECUTIVE SESSION

SECTION 30-4-70 (A) (2) DISCUSSION OF NEGOTIATIONS INCIDENT TO PROPOSED CONTRACTUAL ARRANGEMENTS AND PROPOSED SALE OR PURCHASE OF PROPERTY, THE RECEIPT OF LEGAL ADVICE WHERE THE LEGAL ADVICE RELATES TO A PENDING THREAT, OR POTENTIAL CLAIM OR OTHER MATTERS COVERED BY THE ATTORNEY-CLIENT PRIVILEGE, SETTLEMENT OF LEGAL CLAIMS, OR THE POSITION OF THE PUBLIC AGENCY IN OTHER ADVERSARY SITUATIONS INVOLVING THE ASSERTION AGAINST THE AGENCY OF A CLAIM. **(Project Lightning Rod)**

Mayor Habib requested a motion to go into Executive Session.

Motion: Mayor Pro Tem Condon; Second: Councilmember Tekac; Motion carried: All in favor. (7:39 pm)

Mayor Habib requested a motion to come out of Executive Session.

Motion: Councilmember Tekac; Second: Mayor Pro Tem Condon; Motion carried: All in favor. (8:48 pm)

Adjourn:

Motion: Councilmember Tekac; Second: Mayor Pro Tem Condon; Motion carried: All in favor. Meeting adjourned at 8:48 p.m.

Kelly J. Lovette, MMC
City Clerk

Date: August 11, 2020

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.