



**AGENDA  
CITY OF GOOSE CREEK, SOUTH CAROLINA  
REGULAR CITY COUNCIL MEETING  
TUESDAY, JUNE 8, 2021 – 6:00 PM  
CITY HALL - 519 N GOOSE CREEK BOULEVARD**

**PURSUANT TO FREEDOM OF INFORMATION ACT SC CODE 30-4-80: WRITTEN NOTICE WAS DELIVERED TO THE PRESS BY EMAIL ON FRIDAY, JUNE 4, 2021 AND DULY POSTED AT CITY HALL LOCATED AT 519 N GOOSE CREEK BOULEVARD AND ON CITYOFGOOSSECREEK.COM. CITY HALL IS AN ACCESSIBLE FACILITY, FOR ASSISTANCE CALL 843-797-6220 X. 1113.**

**I. INVOCATION / PLEDGE OF ALLEGIANCE**

**II. GENERAL PUBLIC COMMENTS - PLEASE PROCEED TO THE PODIUM - 2 MINUTE TIME LIMIT**

If you do not plan to attend the City Council Meeting due to COVID-19, you may submit your comments to the City Clerk at [cityclerk@cityofgoosecreek.com](mailto:cityclerk@cityofgoosecreek.com), via hand delivery or by US Mail to Kelly Lovette, City Clerk, City of Goose Creek, P.O. Drawer 1768, Goose Creek, SC 29445. Please send your comments to the City Clerk no later than 12:00 noon on the date of this meeting; your remarks will be distributed to the Mayor and City Council but will not be read aloud during the meeting.

**III. APPROVAL OF MINUTES**

- a. City Council Meeting - May 11, 2021  
City Council Workshop - May 25, 2021

**IV. PRESENTATIONS & PROCLAMATIONS**

- a. Recognition of High School Student Athletes/Presentation of Mayor's Cup

**V. OLD BUSINESS & PUBLIC HEARINGS**

- a. 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 INDENTIFIED AS TMS 235-13-02-053, LOCATED AT 108 STEPHANIE DRIVE, INTO THE CITY OF GOOSE CREEK, A SOUTH CAROLINA MUNICIPAL CORPORATION (Second and Final Reading of a Public Hearing)
- b. 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 TMS 235-13-02-019, LOCATED ON LIZ LANE, INTO THE CITY OF GOOSE CREEK, A SOUTH CAROLINA MUNICIPAL CORPORATION (Second and Final Reading of a Public Hearing)
- c. 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 PROPERTY LOCATED ON THE CORNER OF SASS DRIVE AND OLD MONCK'S CORNER ROAD, FURTHER IDENTIFIED AS TMS# 234-08-00-084, FROM GENERAL COMMERCIAL (GC) TO LOW DENSITY RESIDENTIAL (R-1) (Second and Final Reading of a Public Hearing)

- d. AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF GOOSE CREEK, SOUTH CAROLINA, TO PROVIDE FOR CHANGES TO TITLE III, CHAPTER 34: FINANCE AND TAXATION, BY REPEALING IN ITS ENTIRETY THE CURRENT SECTION "PURCHASING POLICIES AND PROCEDURES" AND ADOPTING IN LIEU THEREOF A NEW SECTION "PURCHASING POLICIES AND PROCEDURES" MADE A PART HEREOF AND SET OUT HEREIN (Second and Final Reading of a Public Hearing)

## **VI. NEW BUSINESS & PUBLIC HEARINGS**

- a. AN ORDINANCE TO AMEND THE "CODE OF ORDINANCES OF THE CITY OF GOOSE CREEK, SOUTH CAROLINA", BY AMENDING TITLE XV - LAND USAGE, SUBCHAPTER "ZONING BOARD OF APPEALS SECTION 151.173(B)(1) - MEETINGS", AND SUBCHAPTER "ARCHITECTURAL REVIEW BOARD SECTION 151.190(F)(6) - MEETINGS" BY REMOVING ANY REFERENCES TO THE START TIME FOR THEIR RESPECTIVE MEETINGS - (Introduction and First Reading of a Public Hearing)
- b. AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF GOOSE CREEK, SOUTH CAROLINA, BY CHANGING THE ZONING CLASSIFICATION OF THE PROPERTY LOCATED AT 128 HOWE HALL ROAD (TMS # 252-01-03-007) FROM CONSERVATION/OPEN SPACE DISTRICT (CO) TO GENERAL COMMERCIAL DISTRICT (GC) - (Introduction and First Reading of a Public Hearing)
- c. AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF GOOSE CREEK, SOUTH CAROLINA, TO PROVIDE FOR CHANGES TO THE ZONING ORDINANCE BY REPEALING IN ITS ENTIRETY THE CURRENT CHAPTER 152. SMALL WIRELESS FACILITIES AND REPLACING IT WITH A NEW CHAPTER 152. STANDARDS FOR PLACEMENT OF SMALL WIRELESS FACILITIES - (Introduction and First Reading of a Public Hearing)
- d. AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF GOOSE CREEK, SOUTH CAROLINA, BY AMENDING THE TITLE TO CHAPTER 92, STREETS, SIDEWALKS, AND OTHER PUBLIC PROPERTY; AND BY ADDING A NEW SUBSECTION (D), UNDERGROUND DISTRICT - (Introduction and First Reading of a Public Hearing)
- e. A RESOLUTION COMMITTING THE CITY OF GOOSE CREEK TO PROVIDING A PROGRAM FEE FOR THE MUNICIPAL ASSOCIATION OF SOUTH CAROLINA RETAIL RECRUITMENT TRAINING PROGRAM (Introduction and Final Reading of a Public Hearing)

## **VII. ADMINISTRATOR'S REPORT**

- a. EMS Contract with Berkeley County.

- b. Request to Hire Contractor for Landscaped Medians.
- c. Code Enforcement Officer Update
- d. Request to Hire Trident Construction - Eubanks / Casey Park

**VIII. MAYOR'S REPORT**

**IX. MONTHLY DEPARTMENT REPORTS**

May Department Reports

**X. ADJOURN**



# Request for City Council Agenda Item

**To:** Mayor and City Council

**From:** Kelly J. Lovette, City Clerk

*Please check one box*

Regular Meeting

Special Meeting

Work Session

*Please check one box, if applicable*

Ordinance

Resolution

Proclamation

Request to  
Purchase

## Ordinance/Resolution Title

City Council Meeting - May 11, 2021  
City Council Workshop - May 25, 2021

## Background Summary

## Financial Impact

## Impact if denied

## Impact if approved

Department Head:

City Administrator:

\_\_\_\_\_  
*Signature & Date*

\_\_\_\_\_  
*Signature & Date*



**MINUTES  
CITY OF GOOSE CREEK, SOUTH CAROLINA  
REGULAR CITY COUNCIL MEETING  
TUESDAY, MAY 11, 2021 – 6:00 PM  
CITY HALL – COUNCIL CHAMBERS  
519 N GOOSE CREEK BOULEVARD**

**MAYOR/COUNCIL PRESENT:**

Mayor Gregory S. Habib  
Mayor Pro Tem Jerry Tekac  
Councilmember Hannah Cox  
Councilmember Melissa Enos  
Councilmember Debra Green-Fletcher  
Councilmember Corey McClary  
Councilmember Gayla McSwain

**CITY STAFF:**

City Administrator Natalie Zeigler  
Assistant City Administrator Brian Cook  
City Clerk Kelly J. Lovette  
Chief Financial Officer Tyler Howanyk  
Director of Planning & Zoning Mark Brodeur  
Chief of Police LJ Roscoe  
Fire Chief Mike Nixon  
Director of Public Works Chuck Denson  
Public Information Officer Frank Johnson

**PRESS PRESENT:**

None

**GUESTS PRESENT:**

None

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PURSUANT TO THE FREEDOM OF INFORMATION ACT SC CODE 30-4-80: WRITTEN NOTICE WAS DELIVERED TO THE PRESS BY EMAIL ON FRIDAY, MAY 7, 2021, AND DULY POSTED AT CITY HALL LOCATED AT 519 N GOOSE CREEK BOULEVARD, AN ACCESSIBLE FACILITY, AND ON CITYOFGOOSECREEK.COM

**I. CALL TO ORDER**

Mayor Habib called the meeting to order at 6:00 pm and requested Councilmember Corey McClary to lead in the invocation and Pledge of Allegiance.

**II. GENERAL PUBLIC COMMENTS:** Note: All comments sent to the City Clerk by 12:00 noon on the date of this meeting, via US Mail or Email, as stated on the meeting Agenda, were forwarded to City Council.

Ms. Marsha Hassel stated to City Council she was very much interested in doing good things for the City by continuing to serve on the Cultural Arts Commission.

**III. APPROVAL OF MINUTES:**

- a. City Council Meeting – April 13, 2021
- b. City Council Workshop – April 22, 2021

Motion: Councilmember Enos; Second: Councilmember Cox  
Discussion: None.  
Carried: All ayes.

**IV. PRESENTATIONS & PROCLAMATIONS:**

- a. Proclamation - National Public Works Week - May 16-22, 2021 (Department of Public Works)

Mayor Habib read and presented the proclamation to Mr. Chuck Denson and members of his department.

- b. Proclamation - Fair Housing Month, April 2021

Mayor Habib read and presented the proclamation to Mr. Rusty Hughes and Ms. Kateshia Breland.

- c. Mothers Against Drunk Driving Presentation (MADD) - Compassionate Hero Award

Police Lieutenant Joshua Battista was presented with the MADD Compassionate Hero Award by Mr. Steven Burritt, Regional Executive Director of Mothers Against Drunk Driving for North Carolina and South Carolina, and Attorney Mark Bringardner, of the Bringardner Law Firm, a sponsor for MADD's Law Enforcement Support Program. In addition to the Compassionate Hero Award, MADD also commended the GCPD for being named one of the state's DUI Agencies of the Year.

- d. Goose Creek Police Department Citizen Police Academy - Recognition of Graduates

Each graduate was recognized and awarded a certificate for completion of the academy.

- e. FY2020 Audit Delivery and Presentation

Mr. Howanyk introduced Mr. Grant Davis of Mauldin & Jenkins CPA's. Mr. Davis presented City Council with a briefing of the City's financial audit report and stated his firm issued an unmodified opinion on the City's financial statements, which is the best results you can get in a financial statement audit, a clean report. Mayor Habib thanked Mr. Davis, as well as Mr. Howanyk and the City's staff for the great job they do and pointed out the results of the audit show how the City does things the right way and City Council, as well as everyone, should be proud of the way the City goes about conducting business.

## **V. OLD BUSINESS & PUBLIC HEARINGS**

- a. AN ORDINANCE TO ADOPT THE 2021 COMPREHENSIVE PLAN UPDATE FOR THE CITY OF GOOSE CREEK, PURSUANT TO THE SOUTH CAROLINA LOCAL GOVERNMENT COMPREHENSIVE PLANNING ENABLING ACT 1994, AS AMENDED (Second and Final Reading of a Public Hearing)

Mayor Habib recognized a gentleman from the audience who inquired if the Comprehensive Plan was online. Mayor Habib stated it was on the City's website. There was a brief discussion about greenspace opportunities and the City's desire to create greenspace throughout the City.

Motion: Councilmember Green-Fletcher; Second: Councilmember Enos

Discussion: None.

Carried: All ayes.

## **VI. NEW BUSINESS & PUBLIC HEARINGS**

- a. 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 TMS 235-13-02-053, LOCATED AT 108 STEPHANIE DRIVE, INTO THE CITY OF GOOSE CREEK, A

SOUTH CAROLINA MUNICIPAL CORPORATION (Introduction and First Reading of a Public Hearing)  
There were no comments from the audience.

Motion: Mayor Pro Tem Tekac; Second: Councilmember McClary  
Discussion: None.  
Carried: All ayes.

- b. 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 TMS 235-13-02-019, LOCATED ON LIZ LANE, INTO THE CITY OF GOOSE CREEK, A SOUTH CAROLINA MUNICIPAL CORPORATION (Introduction and First Reading of a Public Hearing) There were no comments from the audience.

Motion: Councilmember Cox; Second: Councilmember McClary  
Discussion: None.  
Carried: All ayes.

- c. 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 PROPERTY LOCATED ON THE CORNER OF SASS DRIVE AND OLD MONCKS CORNER ROAD, FURTHER IDENTIFIED AS TMS# 234-08-00-084, FROM GENERAL COMMERCIAL (GC) TO LOW DENSITY RESIDENTIAL (R-1) (Introduction and First Reading of a Public Hearing) There were no comments from the audience.

Motion: Councilmember McSwain; Second: Councilmember Cox  
Discussion: Councilmember McClary inquired if the parcel of land was next to JW Aluminum. Mayor Habib stated the property was located behind the municipal complex.  
Carried: All ayes.

- d. AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF GOOSE CREEK, SOUTH CAROLINA, TO PROVIDE FOR CHANGES TO TITLE III, CHAPTER 34: FINANCE AND TAXATION, BY REPEALING IN ITS ENTIRETY THE CURRENT SECTION "PURCHASING POLICIES AND PROCEDURES" AND ADOPTING IN LIEU THEREOF A NEW SECTION "PURCHASING POLICIES AND PROCEDURES" MADE A PART HEREOF AND SET OUT HEREIN (Introduction and First Reading of a Public Hearing) There were no comments from the audience.

Mayor Habib stated how the City purchases items is very spelled out and very clear. He stated the proposed Ordinance allows City staff to carry out the budget that City Council approved without coming back to them to gain approval for a second time.

Motion: Councilmember Green-Fletcher; Second: Councilmember Enos

Discussion: Councilmember McSwain moved to amend the proposed ordinance so as to add the following language to Section 34.40 APPROVAL BY CITY COUNCIL OF CONTRACTS OVER \$25,500; EXEMPTIONS AND PRIOR APPROVALS, by adding the following subsection: (F) All contract authorized by City staff, pursuant to this section, shall be subject to all forgoing sections of this ordinance. The City Administrator shall make a report of all such contracts to City Council at its regular public meetings and at other meetings, as appropriate.

Second on the amended motion: Mayor Pro Tem Tekac  
Carried: All ayes.

Mayor Habib inquired if there was any discussion on the original motion for the proposed purchasing ordinance itself amongst City Council. Hearing none, Mayor Habib call for the vote.  
Carried: All ayes.

- e. AN ORDINANCE TO REPEAL THE FOLLOWING EXISTING ORDINANCES IN THEIR ENTIRETY: "ORDINANCE #20-009 AN EMERGENCY ORDINANCE TO PERMIT AND ALLOW FOR ELECTRONIC MEETINGS OF CITY BOARDS AND COMMISSIONS; AND OTHER MATTERS RELATED THERETO; ORDINANCE #20-016 AN EMERGENCY ORDINANCE EXTENDING ORDINANCE 20-009 AND TO REAUTHORIZE AND EXTEND THE AUTHORIZATION FOR ELECTRONIC MEETINGS OF CITY BOARDS AND COMMISSIONS; AND OTHER MATTERS RELATED TO COVID-19; AND, ORDINANCE #20-028 TO REQUIRE FACE COVERINGS IN CERTAIN CIRCUMSTANCES; TO REAUTHORIZE AND AMEND THE AUTHORIZATION FOR ELECTRONIC MEETINGS AND OTHER MATTERS RELATED THERETO" OF THE CITY OF GOOSE CREEK, SOUTH CAROLINA A MUNICIPAL CORPORATION (Introduction of First and Final Reading of a Public Hearing) There were no comments from the audience.

Mayor Habib stated the proposed Ordinance would take City Operations back to pre-emergency standards by repealing the emergency order that was voted on by City Council back in November 2020.

Motion: Mayor Pro Tem Tekac; Second: Councilmember Cox

Discussion: Councilmember McSwain moved to amend the proposed Ordinance to repeal only Ordinances 20-009 and 20-016 in their entirety; but, to repeal Ordinance 20-028 only partially so as to leave in place the requirement to wear a facemask in public places when social distancing of six (6) feet cannot be met. Mayor Habib inquired if there was a second.

Second on the amended motion: Councilmember McClary

Discussion: Councilmember McSwain stated based on the current statistics she wished to leave the portion in the Ordinance about facemasks for at least a few more months so that others could become vaccinated. Councilmember McClary stated he agreed with Councilmember McSwain and felt that a few more months of wearing facemasks was well worth it to getting the numbers down even further and to give even more time for others to become vaccinated. There was some discussion wherein Ms. Lovette cited a section of the proposed Ordinance that addresses social distancing. Mayor Pro Tem Tekac stated he was in favor of the current proposed Ordinance in its entirety. Mayor Habib stated his reasons of support for the current proposed Ordinance.

Hearing no further discussion. Mayor Habib called for a vote on the motion to amend the proposed Ordinance, made by Councilmember McSwain.

Motion failed: Ayes – Councilmember McSwain; Councilmember McClary. Nays – Mayor Habib, Mayor Pro Tem Tekac; Councilmember Enos; Councilmember Cox; Councilmember Green-Fletcher.

Councilmember Enos requested comment by stating if you do not feel comfortable or safe by not wearing a mask, by all means, wear a mask. If a business requires you to wear a mask to enter their establishment, please respect that business and wear a mask; if you do not feel it is a safe environment to go in a business, it is your right to not enter that business. Mayor Habib stated private businesses have the right to require a mask be worn in their establishment and we are expected to recognize what they require.

Mayor Habib called for a vote to the original motion.



Carried: Ayes - Mayor Habib, Mayor Pro Tem Tekac; Councilmember Enos; Councilmember Cox; Councilmember Green-Fletcher. Nays – Councilmember McSwain; Councilmember McClary.

## **VII. ADMINISTRATOR'S REPORT**

### a. Appointments/Reappointments to Boards and Commissions (CAC & ZBA)

Mrs. Zeigler stated she was seeking approval for appointments to the Cultural Arts Commission (CAC) as presented, wherein City staff was recommending a two (2) year term for Ms. Sharina Haynes, to expire December 31, 2022 and a two (2) year term for Mr. Taylor Clyde to expire December 31, 2023. Ms. Zeigler stated there were two (2) people who were unable to make those interviews and City Council wanted to hear what those excuses were as to why, and Mrs. Hassel stated she had an office emergency and Mr. Michael Owens stated he had to assist with an auto accident, both have stated they are still interested.

Mayor Pro Tem Tekac made a motion to table the proposed appointments to the CAC until City Council has had an opportunity to interview Mrs. Hassel and Mr. Owens. City Council will then make a decision to appoint candidates, all at once, at an upcoming City Council Meeting. Mrs. Zeigler stated the current CAC members will continue to serve until a successor is appointed by City Council.

Second to the motion to table: Councilmember Enos

Discussion: None.

Carried: All ayes.

It was recommended to City Council Mr. Larry Monheit, Mr. Jason Dillard and Mr. Jackson Bakari be reappointed to the Zoning Board of Appeals (ZBA) for three (3) year terms to expire December 31, 2023; and Ms. Sharina Freinkle be appointed for a three (3) year term to expire December 31, 2023.

Motion: Mayor Pro Tem Tekac; Second: Councilmember Enos

Discussion: None.

Carried: All ayes.

### b. 2021 Water System Improvements project - Tammie Ave and Vine Street

Mrs. Zeigler presented a request from the Director of Public Works to approve a contract with Palmetto Utility Group LLC, of Branchville, SC, as the low bid, in the total amount of \$271,330.00, and the South Carolina Rural Infrastructure Authority has awarded the City a basic infrastructure grant to cover 75% of the cost.

Motion: Councilmember Enos; Second: Councilmember Cox

Discussion: There was a brief discussion regarding the incredibly low bid. Mr. Denson stated in comparison to the other bids, he himself felt it was a very low bid, and a great price. He stated they are insured, licensed and he could not find any reason to disqualify the company and he and his staff will make sure they do the job right.

Carried: All ayes.

### c. Lease of a portion of 132 Gibson Avenue from the Berkeley County School District (BCSD).

Mrs. Zeigler presented a request from the Director of Recreation for the approval of a lease for a portion of 132 Gibson Avenue, from the Berkeley County School District. She stated this is to create

a new park. Mayor Habib stated the property is actually located over by Sedgefield Middle School, owned by BCSD, and although it is not located inside the City limits, it is located inside our recreation district and the City will pay only \$1.00 per year for thirty (30) years).

Motion: Councilmember Enos; Second: Councilmember McClary

Discussion: None.

Carried: All ayes.

d. Parks Strategic Plan

Mrs. Zeigler presented the Parks Strategic Plan for approval. Mayor Habib stated at the City Council Strategic Planning Workshop, City Council spent a lot of time specifically on parks whereby City Council came up with a strategic plan for the City's entire park system.

Motion: Councilmember Green-Fletcher; Second: Councilmember McClary

Discussion: None.

Carried: All ayes.

e. 2021 Strategic Plan

Mrs. Zeigler presented the 2021 Strategic Plan for approval. Mayor Habib stated at the City Council Strategic Planning Workshop, City Council came up with a strategic plan for our City which should extend over the next one (1) to three (3) years.

Motion: Councilmember McSwain; Second: Councilmember Enos

Discussion: None.

Carried: All ayes.

**VIII. MAYOR'S REPORT**

Mayor Habib invited everyone to the upcoming Spring Concert at the Crowfield Golf Course, concert two (2) of three (3). He briefly spoke on the following: the Little Library Program instituted by the Cultural Arts Commission and wherein he thanked them for coming up with the idea; an upcoming art contest being promoted by the City for the public to participate and wherein eleven (11) winners will be selected to have their artwork hung along St. James Avenue on a pole banner; and, Chief Roscoe's "5K Hot Pursuit" on June 12<sup>th</sup>, is a fund raiser and it goes to support her "Shopping With a Badge Program".

**IX. ADJOURN**

Motion: Mayor Pro Tem Tekac; Second: Councilmember Enos

Discussion: None.

Carried: All ayes. 7:32 p.m.

Date: June 8, 2021

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Kelly J. Lovette, MMC  
City Clerk



MINUTES  
CITY OF GOOSE CREEK, SOUTH CAROLINA  
CITY COUNCIL WORKSHOP  
TUESDAY, MAY 25, 2021 – 6:00 PM  
FIRE STATION I – TRAINING ROOM  
201 BUTTON HALL AVENUE

**MAYOR/COUNCIL PRESENT:**

Mayor Gregory S. Habib  
Mayor Pro Tem Jerry Tekac  
Councilmember Hannah Cox  
Councilmember Melissa Enos  
Councilmember Debra Green-Fletcher  
Councilmember Corey McClary  
Councilmember Gayla McSwain

**CITY STAFF:**

City Administrator Natalie Zeigler  
Assistant City Administrator Brian Cook  
City Clerk Kelly J. Lovette

**PRESS PRESENT:**

None

**GUESTS PRESENT:**

None

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PURSUANT TO THE FREEDOM OF INFORMATION ACT SC CODE 30-4-80: WRITTEN NOTICE WAS DELIVERED TO THE PRESS BY EMAIL ON FRIDAY, MAY 21, 2021, AND DULY POSTED AT CITY HALL LOCATED AT 519 N GOOSE CREEK BOULEVARD, AN ACCESSIBLE FACILITY, AND ON CITYOFGOOSECREEK.COM

**I. CALL TO ORDER**

Mayor Habib called the meeting to order at 6:00 pm.

**II. DISCUSSION ITEM(S)**

**a. Small Wireless Ordinance**

Mr. Cook, thoroughly briefed and discussed with City Council the proposed new model ordinance from the Municipal Association of South Carolina (MASC) that was being proposed. He stated the City currently has a Small Cell Ordinance that was already adopted by the City; the newly proposed Ordinance was one which contains some changes relating to the SC General Assembly by Act 179 of 2020, referred to as the SC Small Wireless Facilities Deployment Act, established terms, conditions, procedures, rates, and fees upon which Small Wireless Facilities may be deployed in the right of way. Also provided for review and discussed with City Council was the design manual. All of City Council's questions were thoroughly answered.

**b. Underground District Ordinance**

Mr. Cook thoroughly briefed and discussed with City Council the proposed Underground District Ordinance so as to formally designate an underground district as a text amendment to – Title IX, Chapter 92 (Streets, Sidewalks, and other Public Property – Section 92.35). All of City Council's questions were thoroughly answered.

**c. EMS Agreement with Berkeley County**

Mrs. Zeigler thoroughly briefed and discussed with City Council the proposed annual EMS contract with Berkeley County, as provided to City Council. Mrs. Zeigler stated she and Chief Nixon met with Berkeley County to see if the City could get more money, as well as a second ambulance, as they feel it is needed for the citizens of Goose Creek. She stated they did not get very far, that the dollar amount stayed the

same. She stated what was changed was “Section 1.d.” of the proposed agreement in that the City shall use a fee schedule as established by the County, to determine all charges for services rendered and the County may raise the fee schedule during the term of the agreement and any such changes shall be effective as of the date they are deemed effective. The City shall follow exactly those charges as established. The same fee will apply to all emergency medical services provided within or by the City to defray direct costs of operating the ambulances. All of City Council’s questions were thoroughly answered.

**d. Discussion of Municipal Election Date**

Mrs. Zeigler stated the last item on the agenda was the municipal election date. She stated she included an article that was in the MASC’s April edition of the Uptown, wherein MASC and the South Carolina State Election Commission were recommending municipalities move their elections to odd years and she was suggesting City Council have a general discussion on the matter. Mayor Habib briefed City Council on some of the history when the City’s municipal elections were changed from April to November and sated that City Council, at that time, probably did not have enough foresight to make an educated decision on where to place the elections. City Council discussed the matter at length with Mrs. Zeigler and amongst one another as to whether or not they should move the municipal election to odd number years.

**III. ADJOURNMENT**

Motion: Mayor Pro Tem Tekac; Second: Councilmember McSwain

Discussion: None.

Carried: All ayes, 7:18 p.m.

Date: June 8, 2021

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Kelly J. Lovette, MMC  
City Clerk



# Request for City Council Agenda Item

**To:** Natalie Zeigler, City Administrator; Mayor and City Council

**From:** TJ Rostin, Director of Recreation

*Please check one box*

Regular Meeting

Special Meeting

Work Session

*Please check one box, if applicable*

Ordinance

Resolution

Proclamation

Request to  
Purchase

## Ordinance/Resolution Title

Recognition of High School Student Athletes/Presentation of Mayor's Cup

## Background Summary

Recognizing student athletes from Goose Creek High School and Stratford High School for their athletic accomplishments.

## Financial Impact

None

## Impact if denied

## Impact if approved

Department Head:

City Administrator:

\_\_\_\_\_  
*Signature & Date*

\_\_\_\_\_  
*Signature & Date*



# Request for City Council Agenda Item

**To:** City Administrator Natalie Zeigler; Mayor and City Council

**From:** Public Information Officer Frank Johnson

*Please check one box*

Regular Meeting

Special Meeting

Work Session

*Please check one box, if applicable*

Ordinance

Resolution

Proclamation

Request to  
Purchase

## Ordinance/Resolution Title

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 TMS 235-13-02-053, LOCATED AT 108 STEPHANIE DRIVE, INTO THE CITY OF GOOSE CREEK, A SOUTH CAROLINA MUNICIPAL CORPORATION (Second and Final Reading of a Public Hearing)

## Background Summary

Annexation for Stephanie Drive PD

## Financial Impact

## Impact if denied

## Impact if approved

Department Head:

City Administrator:

\_\_\_\_\_  
*Signature & Date*

\_\_\_\_\_  
*Signature & Date*

**AN ORDINANCE**

**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 TMS 235-13-02-053, LOCATED AT 108 STEPHANIE DRIVE, INTO THE CITY OF GOOSE CREEK, A SOUTH CAROLINA MUNICIPAL CORPORATION**

**WHEREAS**, Title 5, Chapter 3, Section 5-3-150(3) of the Code of Laws of South Carolina, 1976, as amended, provides for the annexation of any area or property which is contiguous to a city or town by filing a petition with the municipal governing body which is signed by one-hundred percent (100%) or more of the owners owning at least one-hundred percent (100%) of the assessed valuation of the real property in the area requesting annexation; and

**WHEREAS**, one-hundred percent (100%) of the freeholders owning one-hundred percent (100%) of the assessed valuation of the real property in the area hereafter delineated and described, have filed a petition with the City Council of Goose Creek, South Carolina, requesting that such property be annexed into the City of Goose Creek, South Carolina. Such property is contiguous to the current City limits of the City of Goose Creek, and is described as follows:

TMS #235-13-02-053 (108 Stephanie Drive, Goose Creek)

To include any road, waterway, easement, railroad track, marshland or utility line that intervenes between these properties and the municipal limits of the City of Goose Creek.

The owner of said property has requested that the property be annexed into the City of Goose Creek. All applicable City services will be provided immediately upon annexation.

**WHEREAS**, the property is a parcel of land of .24 acre in Berkeley County, South Carolina, consisting of one residential lot, for the purpose of annexation into the City of Goose Creek. The area is more fully shown on a plat entitled “Annexation Request Property Identified as TMS #235-13-02-053” as prepared by the City Planner.

**NOW, THEREFORE, BE IT ORDAINED** and ordered by the Mayor and City Council of the City of Goose Creek, South Carolina, in Council duly assembled, that all real properties as hereinafter delineated and described are hereby annexed into the City of Goose Creek, South Carolina, a South Carolina municipal corporation, pursuant to Title 5, Chapter 3, Section 5-3-150(3) of the Code of Laws of South Carolina, 1976, as amended, and a zoning district classification of PD (residential) will apply.

**INTRODUCED** the 11th day of May, 2021.

**DONE** the \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Mayor Gregory S. Habib

Attest: \_\_\_\_\_  
Kelly J. Lovette, MMC, City Clerk

\_\_\_\_\_  
Mayor Pro Tem Jerry Tekac

\_\_\_\_\_  
Councilmember Debra Green-Fletcher

\_\_\_\_\_  
Councilmember Corey McClary

\_\_\_\_\_  
Councilmember Melissa Enos

\_\_\_\_\_  
Councilmember Gayla McSwain

\_\_\_\_\_  
Councilmember Hannah Cox



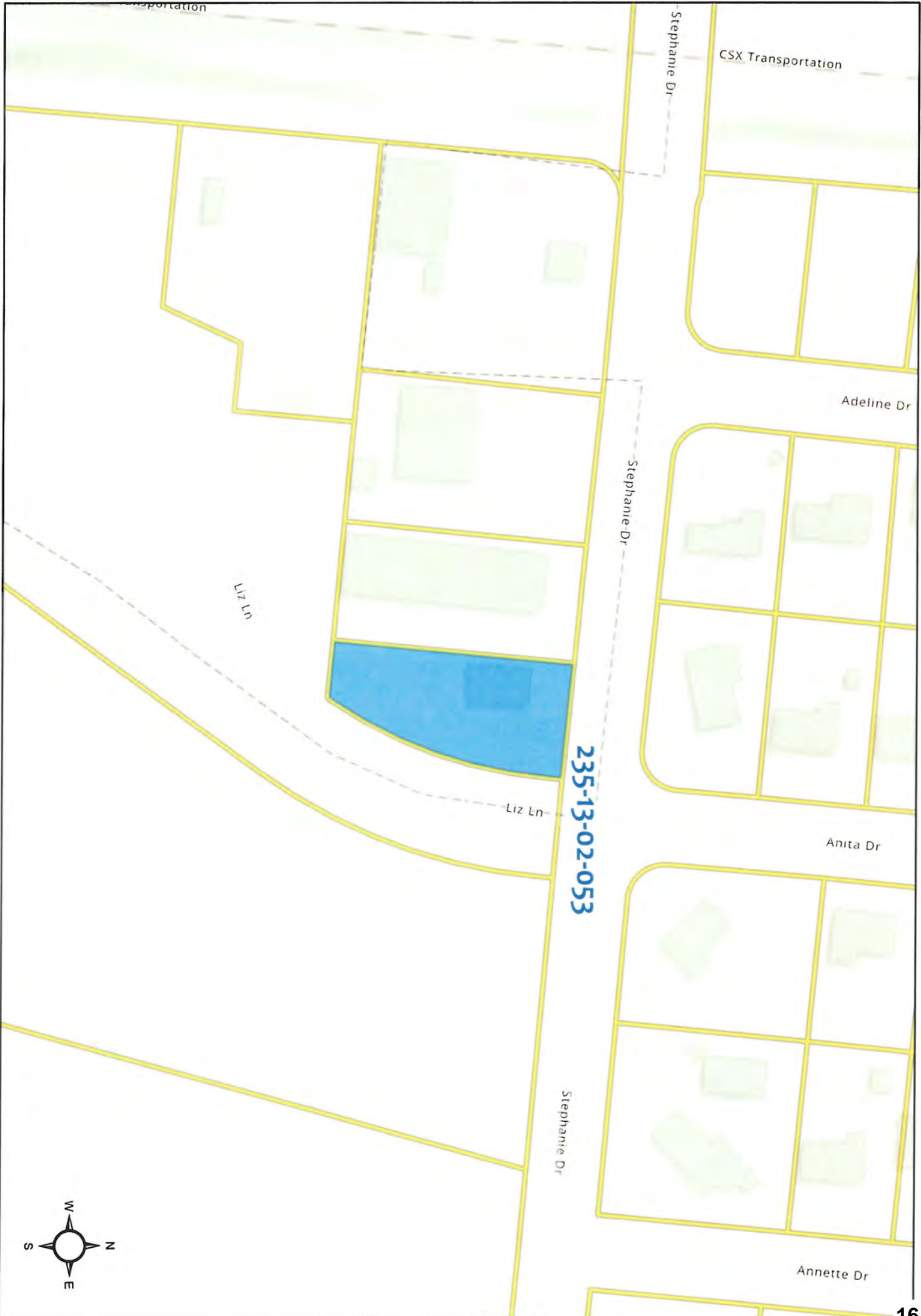
# 108 Stephanie Drive Annexation Map

Goose Creek GIS Department

(843) 824-2200

Product #: 21-012

Date of Publication: 3/5/2021 1:09 PM



FOR PLANNING PURPOSES ONLY.  
 ALWAYS VERIFY INFORMATION  
 WITH THE CITY BEFORE TAKING  
 OFFICIAL ACTIONS.





CITY OF GOOSE CREEK  
**ANNEXATION APPLICATION**



Date: March 2, 2021

REQUESTED ANNEXATION METHOD (CIRCLE ONE): 100% 75% 25%

TMS#: 235-13-02-053

ADDRESS: 108 Stephanie Drive  
 Goose Creek, SC 29445

PROPERTY OWNER(S): Joseph Hamrick

CURRENT COUNTY ZONING DISTRICT: GC REQUESTED CITY ZONING DISTRICT: PD

TOTAL ACREAGE TO BE ANNEXED: 0.24 acres

IS THIS PROPERTY VACANT? (CIRCLE ONE) YES NO

IF NOT VACANT, PLEASE DESCRIBE ANY EXISTING BUILDINGS ON THE PROPERTY:

Property contains one abandoned retail building that totals approximately 1,000 square feet and associated gravel parking

**ANNEXATION REQUIREMENTS**

1. A letter of intent.
2. A summary of future plans for the property.
3. A copy of the property's deed.
4. Signature authority documentation, if the applicant is not the property owner.
5. An original copy of the Annexation Application.

**Contact Information\***

Name (Printed): Joseph Hamrick Telephone: 843-575-9727

Address: 216 POMPONA AVE  
GOOSE CREEK S.C.

Signature of Owner/Applicant\* Joseph Hamrick

\*Proper documentation of the identity of an applicant who is not the owner of the property must be provided. If the property is owned by a company, please provide documentation of the applicant's position within the company represented. If the annexation is being proposed on behalf of a property owner, complete documentation of both the applicant's identity, and a certified, filed copy of a Power of Attorney granting permission to apply, must be provided. Proper documentation is subject to the approval of the City Clerk.

Please return this form and supporting documents to:  
 Frank Johnson, Annexation Coordinator  
 City of Goose Creek  
 PO Drawer 1768  
 Goose Creek, SC 29445

**For more information please call (843) 797-6220 Ext. 1117**



April 12, 2021

**Attention: Mr. Mark Brodeur**  
City of Goose Creek  
Planning & Zoning Department  
519 North Goose Creek Blvd  
Goose Creek, South Carolina 29445

Dear Mr. Brodeur,

**Reference: TMS# 235-13-02-053 Annexation Request**

I am submitting this annexation request as the property owner (Joseph Hamrick) of the parcel located at TMS# 235-13-02-053. My parcel is 0.24 acres and the address is 108 Stephanie Drive. I am requesting annexation from Berkeley County where it is currently zoned General Commercial ("GC") to the City of Goose Creek. The future plans for this parcel are to rezone to Planned Development as part of the Stephanie Drive PD currently under City review. This PD encompasses a total of 9.49 acres and will include both a residential and commercial component to the development.

Included herein is the signed annexation application and a copy of the deed. We look forward to working with you on this project.

Regards,

Joseph Hamrick

Joseph Hamrick

Attachment: Signed Annexation Application  
Copy of Property Deed

nunity in mind



# Request for City Council Agenda Item

**To:** City Administrator Natalie Zeigler; Mayor and City Council

**From:** Public Information Officer Frank Johnson

*Please check one box*

Regular Meeting

Special Meeting

Work Session

*Please check one box, if applicable*

Ordinance

Resolution

Proclamation

Request to  
Purchase

## Ordinance/Resolution Title

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 TMS 235-13-02-019, LOCATED ON LIZ LANE, INTO THE CITY OF GOOSE CREEK, A SOUTH CAROLINA MUNICIPAL CORPORATION (Second and Final Reading of a Public Hearing)

## Background Summary

Part of the annexation for Stephanie Drive, Zoned as Planned Development District

## Financial Impact

## Impact if denied

## Impact if approved

Department Head:

City Administrator:

\_\_\_\_\_  
*Signature & Date*

\_\_\_\_\_  
*Signature & Date*

**AN ORDINANCE**

**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 TMS 235-13-02-019, LOCATED ON LIZ LANE, INTO THE CITY OF GOOSE CREEK, A SOUTH CAROLINA MUNICIPAL CORPORATION**

**WHEREAS**, Title 5, Chapter 3, Section 5-3-150(3) of the Code of Laws of South Carolina, 1976, as amended, provides for the annexation of any area or property which is contiguous to a city or town by filing a petition with the municipal governing body which is signed by one-hundred percent (100%) or more of the owners owning at least one-hundred percent (100%) of the assessed valuation of the real property in the area requesting annexation; and

**WHEREAS**, one-hundred percent (100%) of the freeholders owning one-hundred percent (100%) of the assessed valuation of the real property in the area hereafter delineated and described, have filed a petition with the City Council of Goose Creek, South Carolina, requesting that such property be annexed into the City of Goose Creek, South Carolina. Such property is contiguous to the current City limits of the City of Goose Creek, and is described as follows:

TMS #235-13-02-019 (Liz Lane, Goose Creek)

To include any road, waterway, easement, railroad track, marshland or utility line that intervenes between these properties and the municipal limits of the City of Goose Creek.

The owner of said property has requested that the property be annexed into the City of Goose Creek. All applicable City services will be provided immediately upon annexation.

**WHEREAS**, the property is a parcel of land of 3.00 acres in Berkeley County, South Carolina, consisting of one residential lot, for the purpose of annexation into the City of Goose Creek. The area is more fully shown on a plat entitled “Annexation Request Property Identified as TMS #235-13-02-019” as prepared by the City Planner.

**NOW, THEREFORE, BE IT ORDAINED** and ordered by the Mayor and City Council of the City of Goose Creek, South Carolina, in Council duly assembled, that all real properties as hereinafter delineated and described are hereby annexed into the City of Goose Creek, South Carolina, a South Carolina municipal corporation, pursuant to Title 5, Chapter 3, Section 5-3-150(3) of the Code of Laws of South Carolina, 1976, as amended, and a zoning district classification of PD (residential) will apply.

**INTRODUCED** the 11th day of May, 2021.

**DONE** the \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Mayor Gregory S. Habib

Attest: \_\_\_\_\_  
Kelly J. Lovette, MMC, City Clerk

\_\_\_\_\_  
Mayor Pro Tem Jerry Tekac

\_\_\_\_\_  
Councilmember Debra Green-Fletcher

\_\_\_\_\_  
Councilmember Corey McClary

\_\_\_\_\_  
Councilmember Melissa Enos

\_\_\_\_\_  
Councilmember Gayla McSwain

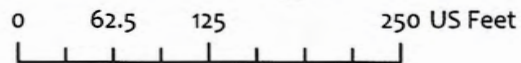
\_\_\_\_\_  
Councilmember Hannah Cox



### Liz Lane Annexation Map

Goose Creek GIS Department  
(843) 824-2200  
Product #: 21-012  
Date of Publication: 3/5/2021 1:09 PM

Scale: 1:1,500



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OFFICIAL ACTIONS.





# CITY OF GOOSE CREEK ANNEXATION APPLICATION



Date: March 2, 2021

REQUESTED ANNEXATION METHOD (CIRCLE ONE):  100%  75%  25%

TMS#: 235-13-02-019

ADDRESS: Liz Lane  
Goose Creek, SC 29445

PROPERTY OWNER(S): Baker Mortgage Company

CURRENT COUNTY ZONING DISTRICT: GC REQUESTED CITY ZONING DISTRICT: PD

TOTAL ACREAGE TO BE ANNEXED: 3.00 acres

IS THIS PROPERTY VACANT? (CIRCLE ONE)  YES  NO

IF NOT VACANT, PLEASE DESCRIBE ANY EXISTING BUILDINGS ON THE PROPERTY:

### ANNEXATION REQUIREMENTS

1. A letter of intent.
2. A summary of future plans for the property.
3. A copy of the property's deed.
4. Signature authority documentation, if the applicant is not the property owner.
5. An original copy of the Annexation Application.

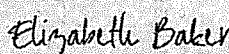
### Contact Information\*

Name (Printed): Elizabeth Baker

Telephone: 843-478-5055

Address: 74 Rebellion Road  
Charleston, SC 29407

Signature of Owner/Applicant\*

DocuSigned by:  
  
AB542721010403...

\*Proper documentation of the identity of an applicant who is not the owner of the property must be provided. If the property is owned by a company, please provide documentation of the applicant's position within the company represented. If the annexation is being proposed on behalf of a property owner, complete documentation of both the applicant's identity, and a certified, filed copy of a Power of Attorney granting permission to apply, must be provided. Proper documentation is subject to the approval of the City Clerk.

Please return this form and supporting documents to:  
 Frank Johnson, Annexation Coordinator  
 City of Goose Creek  
 PO Drawer 1768  
 Goose Creek, SC 29445

**For more information please call (843) 797-6220 Ext. 1117**



Stantec Consulting Services Inc.  
4969 Centre Pointe Drive Suite 200, North Charleston SC 29418-6952

March 2, 2021

**Attention: Mr. Mark Brodeur**  
City of Goose Creek  
Planning & Zoning Department  
519 North Goose Creek Blvd  
Goose Creek, South Carolina 29445

Dear Mr. Brodeur,

**Reference: TMS# 235-13-02-019 Annexation Request**

Stantec submits this annexation request on behalf of the project developer, STYO Development LLC. The intent of this request is to annex the existing parcel at TMS# 235-13-02-019 from Berkeley County where it is currently zoned General Commercial ("GC") to the City of Goose Creek. This parcel is 3.00 acres and accessed via Stephanie Drive. The future plans for this parcel include rezoning to Planned Development as part of the Stephanie Drive PD currently under City review. This PD encompasses a total of 9.49 acres and will include both a residential and commercial component to the development.

Included herein is the signed annexation application signed by the property owner and a copy of the deed. We look forward to working with you on this project.

Regards,

Stantec Consulting Services Inc.

A handwritten signature in black ink, appearing to read 'Emily Sotherlund'.

---

Emily Sotherlund, P.E.  
Project Manager  
Phone: 843-327-2307  
emily.sotherlund@stantec.com

Attachment: Signed Annexation Application  
Copy of Property Deed

Design with community in mind

**Julia DuMars CPA LLC**

PO Box 442  
Folly Beach, SC 29439  
843 588-0011  
[www.follybeachcpa.com](http://www.follybeachcpa.com)

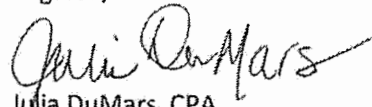
April 13, 2021

To whom it may concern,

The sole shareholder of Baker Mortgage Corporation is the Neal I Baker Family Trust.

Elizabeth M. Baker is a Trustee of the trust.

Regards,



Julia DuMars, CPA



**CPA**

America counts on CPAs®





# Request for City Council Agenda Item

**To:** City Administrator Natalie Zeigler; Mayor and City Council

**From:** Mark Brodeur, Director of Planning and Zoning

*Please check one box*

Regular Meeting

Special Meeting

Work Session

*Please check one box, if applicable*

Ordinance

Resolution

Proclamation

Request to  
Purchase

## Ordinance/Resolution Title

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 PROPERTY LOCATED ON THE CORNER OF SASS DRIVE AND OLD MONCKS CORNER ROAD, FURTHER IDENTIFIED AS TMS# 234-08-00-084, FROM GENERAL COMMERCIAL (GC) TO LOW DENSITY RESIDENTIAL (R-1) (Second and Final Reading of a Public Hearing)

## Background Summary

The Planning Commission of the City of Goose Creek held a public hearing on May 4, 2021, to receive public comment and to consider A CHANGE IN ZONING CLASSIFICATION FROM General Commercial (GC) to Low Density Residential (R-1) for a 1.13 acres parcel located on the corner of Sass Drive and Old Moncks Corner Road, further identified as TMS# 234-08-00-084.

## Financial Impact

n/a

## Impact if denied

n/a

## Impact if approved

n/a

Department Head:

City Administrator:

\_\_\_\_\_  
*Signature & Date*

\_\_\_\_\_  
*Signature & Date*

**ORDINANCE NO.**

**AN 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 PROPERTY LOCATED ON THE CORNER OF SASS DRIVE AND OLD MONCKS CORNER ROAD, FURTHER IDENTIFIED AS TMS# 234-08-00-084, FROM GENERAL COMMERCIAL (GC) TO LOW DENSITY RESIDENTIAL (R-1).**

**WHEREAS**, the Planning Commission of the City of Goose Creek held a public hearing on May 4, 2021, to receive public comment and to consider A CHANGE IN ZONING CLASSIFICATION FROM General Commercial (GC) to Low Density Residential (R-1) for a 1.13 acres parcel located on the corner of Sass Drive and Old Moncks Corner Road, further identified as TMS# 234-08-00-084.

**WHEREAS**, pursuant to said public hearing, the Planning Commission has recommended that the zoning classification of the property aforesaid be changed to the Low Density Residential (R-1) Zoning District.

**NOW, THEREFORE, BE IT ORDAINED** and ordered by the Mayor and City Council of the City of Goose Creek, South Carolina, that the Zoning Map of the City of Goose Creek, South Carolina, is hereby amended by changing the Zoning District classification of a 1.13 acres parcel located on the corner of Sass Drive and Old Moncks Corner Road, further identified as Tax Map number 234-08-00-084, and outlined on the attached staff report from General Commercial (GC) to Low Density Residential (R-1).

All ordinances and provisions in conflict herewith are repealed, and if any sentence, clause, phrase or word contained herein shall be held invalid, such invalidity shall not affect the validity of the remainder of this ordinance.

This ordinance shall become effective immediately upon adoption.

**INTRODUCED** the \_\_\_\_ day of \_\_\_\_ 2021.

**DONE** the  day of \_\_\_\_ 2021.

\_\_\_\_\_  
Mayor Gregory S. Habib

Attest: \_\_\_\_\_  
Kelly J. Lovette, MMC, City Clerk

\_\_\_\_\_  
Mayor Pro Tem Jerry Tekac

\_\_\_\_\_  
Councilmember Debra Green-Fletcher

\_\_\_\_\_  
Councilmember Hannah Cox

\_\_\_\_\_  
Councilmember Melissa Enos

\_\_\_\_\_  
Councilmember Gayla McSwain

\_\_\_\_\_  
Councilmember Corey McClary



## MEMORANDUM

TO: Mayor Gregory Habib, and City Council

FROM: Brenda Moneer, Planning and Zoning Technician

DATE: May 4, 2021

SUBJECT: Rezoning Request – Old Moncks Corner Rd.,  
TMS# 234-08-00-084

### PLANNING & ZONING

CITY HALL  
519 N. GOOSE CREEK BLVD.  
P.O DRAWER 1768  
GOOSE CREEK, SC 29445-1768

TEL (843) 797-6220 EXT 1114  
FAX (843) 863-5208

#### **Request for Rezoning:**

The applicant proposes to rezone the vacant property identified as TMS#234-08-00-084 from General Commercial (GC) to Low Density Single Family (R1). The applicant plans to build one (1) single family home on the property. A single-family home is not a use by right within a General Commercial (GC) zoning Classification.

#### **Discussion Points:**

The subject property is approximately 1.13 acres in size and is currently a vacant commercial property.

- Currently there are residential properties down Sass Drive (west) and a vacant parcel to the south located within Berkeley County zoned (R1) Single Family Residential District.
- Vacant properties to the north are within the City of Goose Creek Boundary zoned General Commercial (GC).
- The City of Goose Creek Recreation Facility, Walker Trail/pond area, and City Hall Municipal Complex sits on Properties to the east, across Old Moncks Corner Road. These parcels are within the City of Goose Creek Boundary, zoned Conservation Open Space (CO).

Within close proximity to this parcel, a Church is located to the north at the corner of Old Moncks Corner Rd and Old Mt. Holly Rd within the City of Goose creek Boundary, zoned General Commercial (GC). The parcel .09 miles south is located in the City of Goose Creek Boundary, zoned Low-Density Residential (R1).

#### **Recommendation:**

The property is located in the Low-Density Residential area as shown on the future land use map of the tentative Comprehensive Plan 2020, and surrounded by residential development and vacant residential zoned parcels located within Berkeley County, zoned Low-Density Residential (R1), and Medium-Density Residential (R2).

It is Staff's opinion that the proposed zoning of Low-Density Residential is compatible with the location of the property and provides the necessary zoning for the best use of the property. The proposed zoning would meet the lot criteria as outlined in Appendix "D" of the City Zoning Code. Also, it is Staff's view that the Low-Density Residential zoning for this property is consistent with the City's tentative Comprehensive Plan 2020.

In keeping with the future land use map designation, Staff recommends this rezoning request.



## STAFF REPORT FOR THE CITY OF GOOSE CREEK PLANNING COMMISSION & CITY COUNCIL

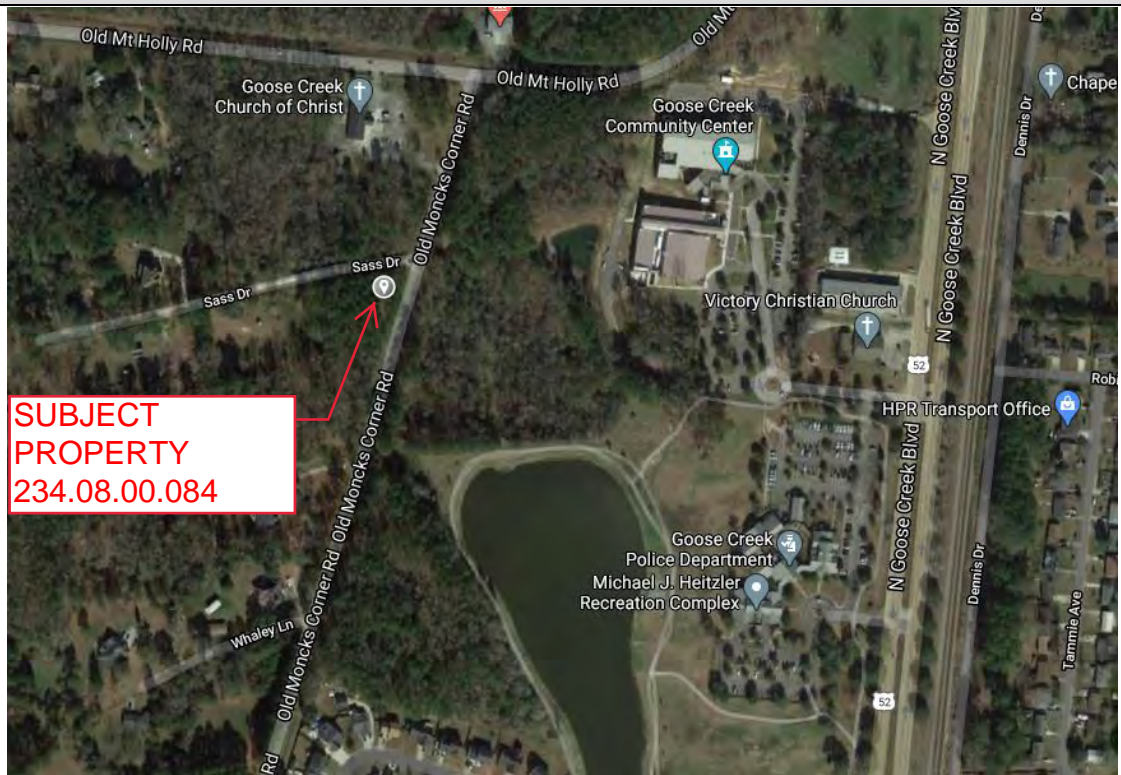
For reference, the City of Goose Creek Code of Ordinances are available online at  
<https://www.cityofgoosecreek.com/government/code-ordinances>

Agenda Item	
<b>Request #:</b>	2021-029 MA
<b>Applicant:</b>	Lourdes Cardenas
<b>Location/Address:</b>	Old Moncks Corner Road
<b>Requested Zoning District:</b>	R1-Residential Low Density

Subject Parcel	
<b>Property Owner:</b>	Lourdes Cardenas
<b>Tax Map Number:</b>	234-08-00-084
<b>Approximate Acreage:</b>	1.13
<b>Plat Book &amp; Page:</b>	CAB H - 222
<b>NEW Comprehensive Plan Future Land Use Map Designation:</b>	R1-Residential Low Density
<b>Current Zoning:</b>	GC-General Commercial

Property Zoning to the		Property Uses to the	
<b>North:</b>	City limits - GC-General Commercial	<b>North:</b>	VACANT PARCEL
<b>South:</b>	Berkeley County-R1	<b>South:</b>	VACANT PARCEL
<b>East:</b>	City limits - CO-Conservation Open Space	<b>East:</b>	MUNICIPAL COMPLEX
<b>West:</b>	City limits - GC-General Commercial	<b>West:</b>	VACANT PARCEL

**Aerial Map**

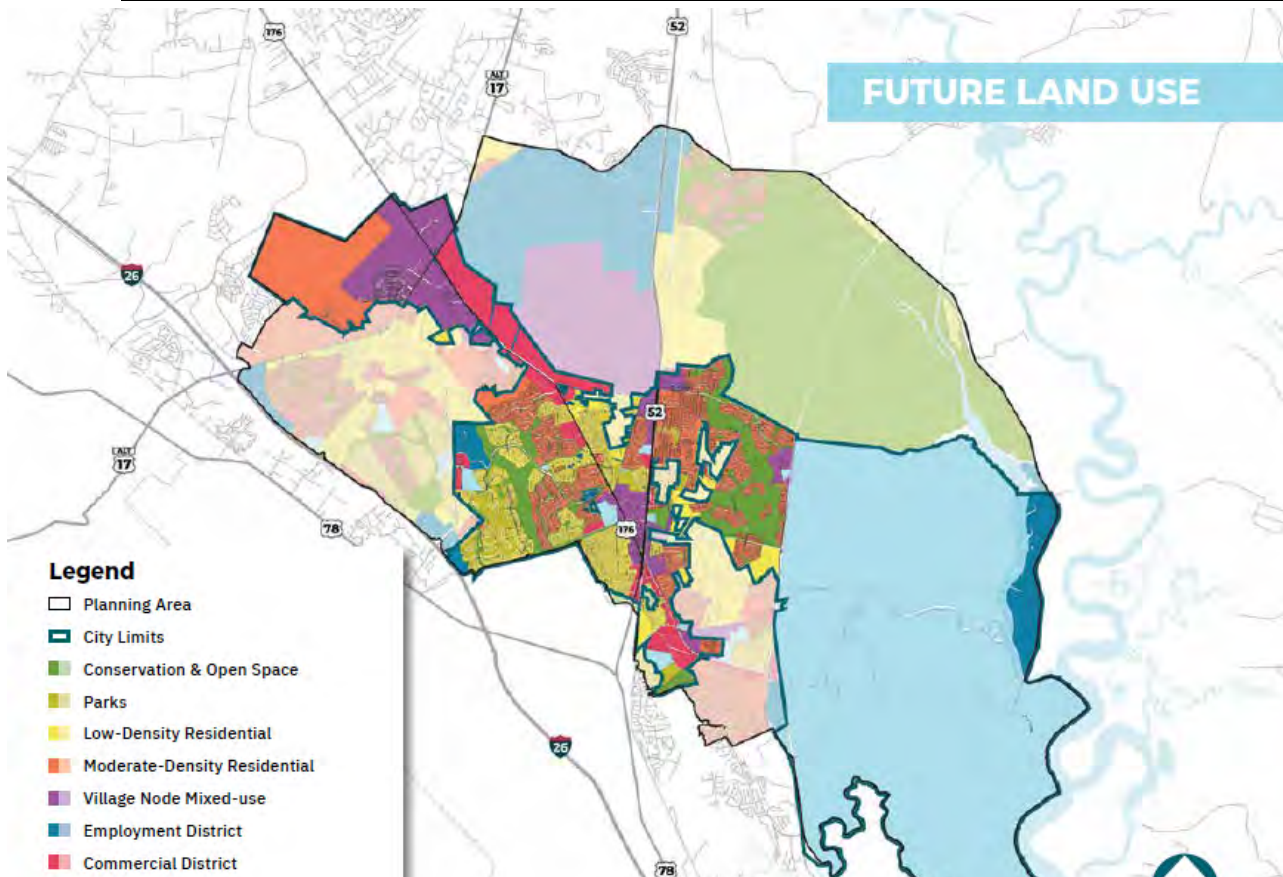


**Zoning Map**

**LEGEND  
ZONING  
CLASS**

- BPO
- Berkeley County
- CO
- GC
- GI
- LI
- NC
- PD
- PD-MH
- R-1
- R-2
- R-3
- RC





**FUTURE LAND USE**

**Legend**

- Planning Area
- ▬ City Limits
- Conservation & Open Space
- Parks
- Low-Density Residential
- Moderate-Density Residential
- Village Node Mixed-use
- Employment District
- Commercial District
- Institutional

**LOW-DENSITY RESIDENTIAL**



**Overview**

Low-density residential areas will be developed in both new areas and existing neighborhoods that promote a sense of community. Development will be located where it can be served efficiently by infrastructure, facilities and services, and transportation networks. All development activity will be designed to mitigate adverse impacts on any historic, cultural, and/or natural resources.

**Land Uses and Development Types**

- Large-lot (> 0.25 acre) single-family residential detached housing
- Neighborhood parks smaller than 3 acres
- Neighborhood-level amenities and recreation
- Neighborhood-level civic and institutional uses (schools, churches, etc)
- Planned communities and infill housing on larger lots.

**Implementation Measures**

- Zoning updates that promote and encourage housing diversity
- Revision of architectural and site design standards to encourage better-quality development
- Encourage Smart Growth and Traditional Neighborhood Development principles, where appropriate
- Complaint-based code enforcement
- Traffic calming, where necessary
- Local streets that connect to collector streets
- Pedestrian amenities such as connected sidewalks and trails
- Infill development

**Relationship to Comprehensive Plan**

The newly created Comprehensive Plan Future Land Use Map tentatively recommends this area for R1)Single Family Residential Development. (see map on page 3 of 4)

**History of Property** NONE

**Staff Comments**

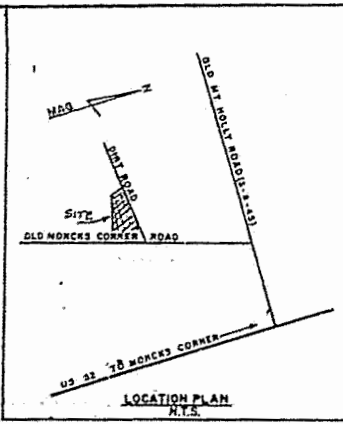
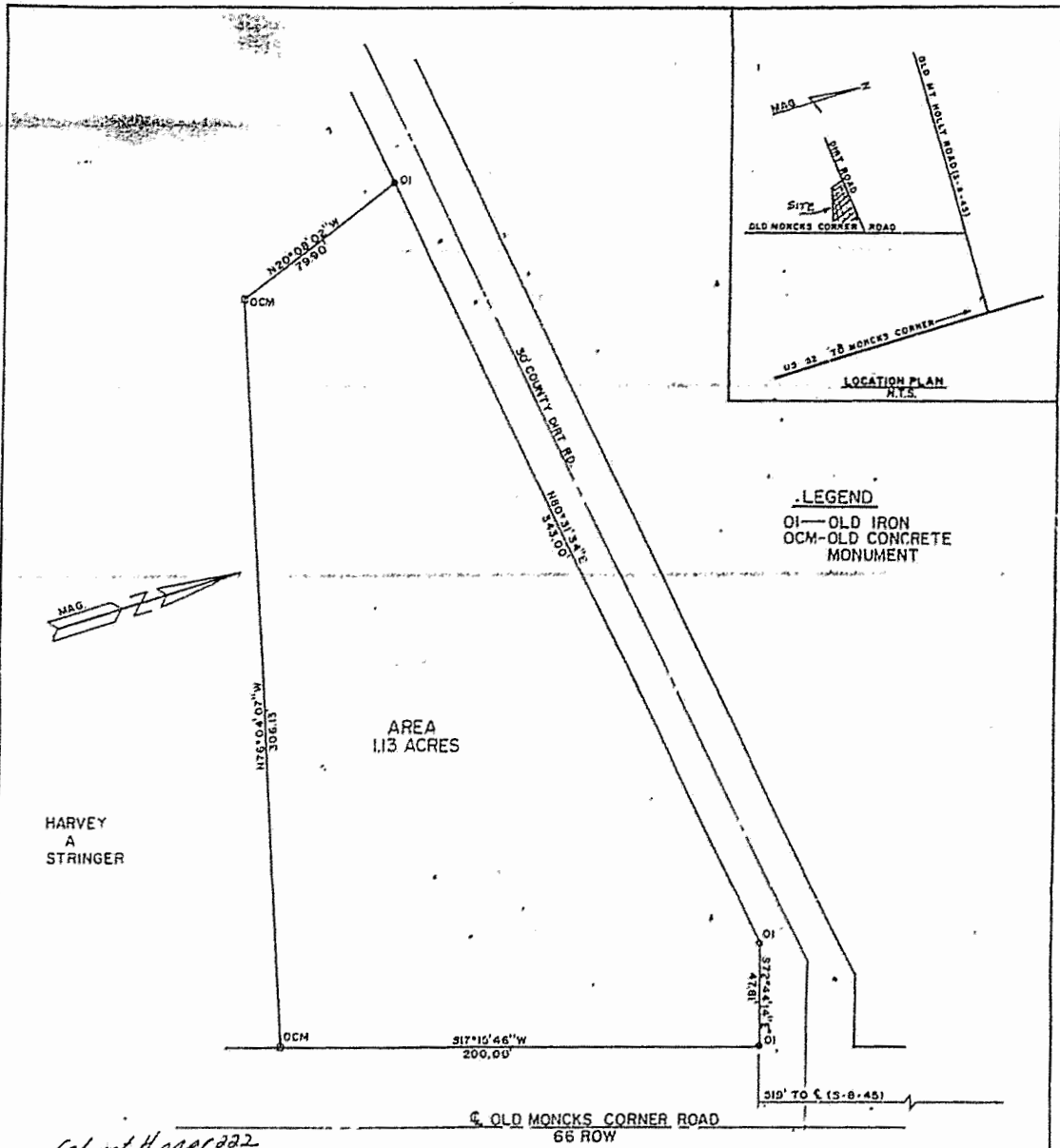
The site currently is a vacant 1.13 acre parcel. The applicant would like to build one (1) single-family residence on the property. A single family home is not a permitted use by right in a GC)General Commercial zoning classification. Therefore, the applicant is requesting to rezone the parcel from GC)General Commercial to R1)Low Density Single-Family Residential.

A Church is located north at the corner of the property of Old Moncks Corner Rd and Old Mt. Holly Rd. There currently is a residence, located in the County, down Sass Drive. The parcel .09 miles to the south is located in the City and is currently zoned R1)Low Density Single-Family Residential. To the east is the City Municipal Complex that includes the Recreation Facility, City Hall, and pond/walker trail.

In keeping with the future land use map designation, staff recommends this rezone request.

<b>Anticipated Meeting Schedule</b>		
<b>Body</b>	<b>Meeting Date</b>	<b>Action</b>
<b>Planning Commission</b>	<b>May 4, 2021</b>	<b>Pending</b>
<b>City Council Public Hearing</b>	<b>May 11, 2021</b>	<b>Pending</b>
<b>City Council Public hearing</b>	<b>June 8, 2021</b>	<b>Pending</b>
<i>City Council Meetings subject to change. Please check the website for up-to-date information.</i>		

<b>Planning Commission Voted to recommend the request by a vote of 6 to 0.</b>	<b>Date: May 4, 2021</b>
<b>Planning Commission Comments:</b>	
<b>Motion was made to recommend the rezoning of property on the corner of Sass Drive and Old Moncks Corner Rd., identified as TMS# 234-08-00-084 from GC)General Commercial to R1)Low Density Single Family Residential.</b>	



**LEGEND**  
 OI— OLD IRON  
 OCM— OLD CONCRETE  
 MONUMENT

HARVEY  
 A  
 STRINGER

AREA  
 1.13 ACRES

OLD MONCK'S CORNER ROAD  
 66 ROW

*Cabinet H page 222*  
 5:00 p.m.  
 2-23-89  
*Robert J. Sample*  
 SURVEYOR

REFERENCE PLAT BY  
 R.D. GUERRY R.L.S. DATED 10-27-80  
 RECORDED VOL. C PAGE 276

PLAT OF LAND  
 OWNED BY  
 B.N. PRUITT

Berkeley County Planning Commission  
 Exempt  
*Robert J. Sample*  
 (Seal)  
 2-23-89 Date

2ND GOOSE CREEK TAX DISTRICT NO. EIGHT(8)  
 BERKELEY COUNTY, SOUTH CAROLINA

DATE: 2-23-89

R. J. SAMPLE  
 SURVEYOR  
 1:10000



R. J. SAMPLE & ASSOCIATES  
 ENGINEERING & SURVEYING

2010 Hawthorne Drive, Suite J  
 North Charleston, SC 29415  
 554-9251

PE, R.L.S. F135

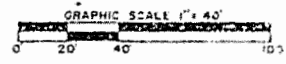


EXHIBIT "A"

C 2399





# LAND USE APPLICATION CITY OF GOOSE CREEK

TODAY'S DATE: April 2, 2021

### PART I. PURPOSE OF SUBMITTAL

- Site Plan (See Checklist)       Plat Review       Rezoning\*  
 Subdivision Plan (See Checklist)    Variance\*       Conditional Use Permit\*

### PART II. GENERAL INFORMATION

1. Development Name: \_\_\_\_\_

2. Street Address: \_\_\_\_\_

3. TMS #: 234 - 08 - 00 - 084

4. Zoning Classification: GC  
Requested Classification: R1 (For rezoning only)

5. Total Site Acres: 1.13

#### GOOSE CREEK ZONING DISTRICTS

- |  |  |
|--|--|
| <b>CO:</b> Conservation Open Space     | <b>BPO:</b> Business Professional Office |
| <b>CI:</b> Commercial Industrial       | <b>RC:</b> Restricted Commercial         |
| <b>GI:</b> General Industrial          | <b>GC:</b> General Commercial            |
| <b>LI:</b> Light Industrial            | <b>NC:</b> Neighborhood Commercial       |
| <b>R-1:</b> Residential Low Density    | <b>PD:</b> Planned Development           |
| <b>R-2:</b> Residential Medium Density | <b>PD-MH:</b> PD for Mobile Home         |
| <b>R-3:</b> Residential High Density   |  |

### PART III. CONTACT INFORMATION

Owner/Developer Name: Lourdes Cardenas

Street Address: [REDACTED] City: Goose Creek St: SC Zip: 29445

Telephone: [REDACTED] Cell Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail Address: [REDACTED]

### PART IV. SUBMITTAL INFORMATION (IF APPLICABLE)

Proposed Building Use: Single Family Home

Proposed Total Building Area (gross sq. ft.): n/a

Max. Building Height: 35' Total Number of Buildings/Units/Lots: 1

Is The Property Restricted by Any Recorded Covenant Which Conflicts With or Prohibits The Proposed Use: No

#### AGENT WAIVER

*In filing this plan as the property owner, I do hereby agree and firmly bind myself, my heirs, executors, administrators, successors and assignees jointly and severally to construct all improvements and make all dedications as shown on this proposed site plan as approved by the City of Goose Creek, South Carolina. I hereby designate \_\_\_\_\_ to serve as my agent regarding this application, to receive and respond to administrative comments, to resubmit plans on my behalf, and to represent me in any public meetings regarding this application.*

Print Name: Lourdes Cardenas

Date: 04/02/21

Signature: [Handwritten Signature]

Revised October 2019



# Request for City Council Agenda Item

**To:** City Administrator Natalie Zeigler, Mayor and City Council

**From:** Tyler Howanyk, Chief Financial Officer

*Please check one box*

Regular Meeting

Special Meeting

Work Session

*Please check one box, if applicable*

Ordinance

Resolution

Proclamation

Request to  
Purchase

## Ordinance/Resolution Title

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF GOOSE CREEK, SOUTH CAROLINA, TO PROVIDE FOR CHANGES TO TITLE III, CHAPTER 34: FINANCE AND TAXATION, BY REPEALING IN ITS ENTIRETY THE CURRENT SECTION "PURCHASING POLICIES AND PROCEDURES" AND ADOPTING IN LIEU THEREOF A NEW SECTION "PURCHASING POLICIES AND PROCEDURES" MADE A PART HEREOF AND SET OUT HEREIN (Second and Final Reading of a Public Hearing)

## Background Summary

Update to purchasing policy to include Construction Manager -At-Risk (CMAR), Design-Build Services, adds language regarding items already approved in the fiscal year budget, and corrects some scrivener errors.

## Financial Impact

City Purchasing Policy will be updated.

## Impact if denied

City Purchasing Policy will not be updated.

## Impact if approved

City Purchasing Policy will be updated.

Department Head:

City Administrator:

\_\_\_\_\_  
*Signature & Date*

\_\_\_\_\_  
*Signature & Date*

**AN ORDINANCE**

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF GOOSE CREEK, SOUTH CAROLINA, TO PROVIDE FOR CHANGES TO TITLE III: ADMINISTRATION, CHAPTER 34: FINANCE AND TAXATION, BY REPEALING IN ITS ENTIRETY THE CURRENT SECTION “PURCHASING POLICIES AND PROCEDURES” AND ADOPTING IN LIEU THEREOF A NEW SECTION “PURCHASING POLICIES AND PROCEDURES” MADE A PART HEREOF AND SET OUTHEREIN**

**WHEREAS**, the Mayor and City Council of the City of Goose Creek, South Carolina, find it necessary to amend the Code of Ordinances of Goose Creek, South Carolina,

**NOW, THEREFORE, IT IS HEREBY ORDAINED** and ordered by the Mayor and City Council of the City of Goose Creek, in Council properly assembled, that the Code of Ordinances of Goose Creek, South Carolina, are hereby amended as follows:

*Purchasing Policies and Procedures*

- 34.20 Definitions
- 34.21 Purpose
- 34.22 Exemptions
- 34.23 Duties of purchasing agent
- 34.24 Procedural regulations
- 34.25 Emergency purchases
- 34.26 Requisitions and estimates of future requirements
- 34.27 Contracts, purchases and sales
- 34.28 Open market purchases and sales
- 34.29 Local Preference Policy
- 34.30 Request for Qualifications
- 34.31 Request for Proposals
- 34.32 Purchases of patented or proprietary articles
- 34.33 **Project Delivery Methods**
- 34.334 Availability of funds
- 34.335 Splitting requirements; illegal purchases
- 34.336 Gratuities
- 34.337 Debarment of irresponsible bidders
- 34.338 Inspection
- 34.339 Surplus, obsolete and waste commodities
- 34.40 **Approval by City Council of Contracts over \$25,000, exemptions and prior approval**

§ 34.20 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context indicates or requires a different meaning.

**AGENCY, USING AGENCY.** Any of the departments, offices or other organizational units of the city government.

**BIDDERS LIST.** A current file of sources of supply for articles repetitively purchased for city use.

**CONTRACTUAL SERVICES.** Any telephone, electric light and power services, towels, window washing and cleaning services, the rental of equipment and machinery and other types of agreements under which the contractor provides services which are required by the city government, but not furnished by city employees. **CONTRACTUAL SERVICES** do not include legal advertising, and purchases of space for legal advertising shall not be subject to the provisions of this chapter.

**CONSTRUCTION MANAGER-AT-RISK SERVICES.** A project delivery method in which the city awards separate contracts, one for design services to design a project and the second to a construction manager at-risk for both construction of the project according to the design and construction management services, which include but are not limited to those professional services associated with contract administration, project management, and other services provided in connection with the administration of a construction project.

**DESIGN-BUILD SERVICES.** A method of construction or construction contract management in which a single entity (or group of associated entities) provides to the city

all or substantially all of the services necessary to both design and construct a project.

**DEFINITE QUANTITY CONTRACTS.** A contract whereby a contractor agrees to furnish a specified quantity of supplies, materials or equipment at a specified time.

**INDEFINITE QUANTITY CONTRACTS.** A contract whereby the city agrees to obtain from a contractor all its requirements for specified supplies, materials or equipment in an estimated, but undetermined, amount during a prescribed period of time at a definite unit price or at a specified discount from list or posted price.

**IRRESPONSIBLE BIDDER.** A bidder who fails to furnish, upon written request, proof of responsibility, who has, as a vendor or contractor with the city, repeatedly made slow or unsatisfactory deliveries, or who has violated, or attempted to violate, the provisions of this chapter.

~~**PERSONAL**~~**PROFESSIONAL SERVICES.** The services of attorneys, physicians, architects, engineers, consultants or other individuals or organizations possessing a high degree of technical skill and offering the services on a fee basis.

**PRICE AGREEMENTS.** An agreement whereby a contractor agrees to supply the city requirements for items, such as replacement parts for different makes of mechanical or automotive equipment during a prescribed period of time at a definite unit price, or at a specified discount from list or posted price.

**PURCHASING AGENT.** The City Administrator or other duly designated officer or employee.

**RESPONSIBLE BIDDER.** A bidder who has furnished, when requested, information and data to prove that the bidder's financial resources, production or services facilities, service reputation and experience are adequate to make satisfactory delivery of supplies, materials, equipment or contractual service on which the bidder bids and who has not violated, nor attempted to violate, any provision of this chapter.

**SUPPLIES, MATERIAL, EQUIPMENT.** Any articles or things which shall be furnished to or used by any department, including any printing, binding or publication of stationery, forms, laws, journals and reports.

(1985 Code, § 9-20) (Ord. 18-032, passed 12-11-2018)

#### § 34.21 PURPOSE.

The purpose of this chapter is to secure for the city taxpayers the advantages and economies which will result from centralized control over the expenditure of city funds for supplies, materials, equipment and contractual services via the application of modern, business-like methods.

(1985 Code, § 9-21) (Ord. 18-032, passed 12-11-2018)

#### § 34.22 EXEMPTIONS.

Certain items are exempt from certain purchasing requirements and the city may exempt specific supplies or services from the purchasing procedures herein required or withdraw any exemptions provided for in this section:

(A) Advertising, including but not limited to advertising time or space in newspapers, on radio or television.

(B) Medical and/or psychological services.

(C) Policy, legal and utility services to include but not be limited to attorneys, bond rating services, consultants, advisors ~~and~~ engineers ~~and other professional services~~.

(D) Staff development to include but not be limited to:

(1) Training provided by consultants, certified teachers/trainers;

(2) Training materials;

(3) Workshops, conferences, seminar registrations, etc.;

(4) Travel.

(E) Utilities and energy expenses to include but not be limited to: fuel, propane, electricity, telephone, cell phones, water/sewer.

(F) Financial advisors and fiduciary services.

(G) Emergency repairs.

(H) Mail and delivery services.

(I) Contracts for the wholesale purchase of electric service with contract terms for less than two years.

(J) Contracts that are specifically approved by a city ordinance.

(K) Contracts that relate to regularly purchased supplies, equipment, chemicals, or services to be used in or for the direct benefit of the city's utilities, as they now exist or may exist in the future.

(Ord. 18-032, passed 12-11-2018; Ord. 20-007, passed 3-10-2020)

#### § 34.23 DUTIES OF PURCHASING AGENT.

(A) The purchasing agent purchases all supplies, materials, equipment and contractual services required by the city.

(B) The purchasing agent submits to the City Council for award, and thereafter

executes contracts for all purchases of supplies, materials, equipment and contractual services in amounts or estimated amounts as designated by City Council.

(C) The purchasing agent negotiates contracts for personal services and submits them for approval and award as provided in divisions (A) and (B) above.

(D) The purchasing agent uses standard specifications whenever they are applicable for purchase orders and contracts and ~~ensures~~ ~~insures~~ compliance with the specifications through adequate inspection of deliveries.

(E) The purchasing agent may transfer between departments, supplies, materials and equipment no longer needed by a holding department, but which can be used by a receiving department.

(F) The purchasing agent exchanges, trades in or sells those supplies, materials and equipment which are surplus, obsolete or unused and are found by the City Council not to be required for public use.

(G) The purchasing agent develops, with the approval of the City Attorney as to legal sufficiency, standard forms and conditions of invitations to bid, purchase orders and contracts.

(H) The purchasing agent prescribes the use by the departments of other forms required to carry out the provisions of this chapter, and amends or eliminates any such forms.

(I) Upon request of the City Council, and subject to its approval of each transaction, the purchasing agent performs all delegable functions in connection with the acquisition and disposal of real property.

(J) The purchasing agent reduces, to the maximum extent possible, the number of purchase transactions by combining into bulk orders and contracts the requirements of departments for common use items repetitively purchased.

(1985 Code, § 9-22) (Ord. 18-032, passed 12-11-2018)

#### § 34.24 PROCEDURAL REGULATIONS.

The ~~City Administrator~~ ~~Purchasing Agent~~ is hereby authorized to prepare procedural regulations to amplify the provisions of this chapter; to submit the regulations and amendments to the City Council for approval; and to promulgate and enforce compliance with the regulations including, but not limited to:

(A) The procedure for handling bids including their custody and safeguarding, opening and tabulation, rejection and re-advertising and the procedure for determining the lowest responsible bidder;

(B) The procedure for securing from bidders the data necessary to determine whether they are responsible;

(C) The procedure for inspection of deliveries of supplies, materials, equipment and contractual services;

(D) The procedure for submitting requisitions for supplies, materials, equipment and contractual services;

(E) The procedure for control and safeguarding of supplies, materials and equipment in storerooms or at storage points including the maintenance of a perpetual inventory system showing the quantitative amounts and monetary values of the inventories; and

(F) The matters as may be necessary to give effect to provisions of this chapter.

(1985 Code, § 9-23) (Ord. 18-032, passed 12-11-2018)

#### § 34.25 EMERGENCY PURCHASES.

(A) An emergency shall be deemed to exist when a breakdown in machinery or in an essential service occurs, or when unforeseen circumstances arise, including natural disasters, delays by contractors, transportation and an unanticipated volume of work.

(B) If an emergency occurs during regular business hours, the department head shall immediately notify the City Administrator who shall determine the authorization of the necessary purchases. If the City Administrator is unavailable, the department head shall notify the Finance Director before making any emergency purchase. If an emergency occurs at any time other than regular business hours, the department head may purchase directly the commodities required, provided the following conditions are met:

(1) When the estimated cost of the emergency purchase exceeds \$999, the department head shall, whenever possible, secure competitive telephone bids and order delivery to be made by the lowest responsible bidder; and

(2) On every emergency purchase made, the department head shall, within 24 hours, submit to the City Administrator, a requisition, a tabulation of bids received, a delivery receipt and a written explanation of the circumstances of the emergency.

(C) The City Administrator shall have the authority to make emergency purchases of up to \$5,000 without securing bids. The City Administrator shall have the authority to make emergency purchases over \$5,000 without securing bids with the approval of the Mayor. While not required in the event of an emergency, the City Administrator shall secure bids if it is practical.

(1985 Code, § 9-24) (Ord. 18-032, passed 12-11-2018)

§ 34.26 REQUISITIONS AND ESTIMATES OF FUTURE REQUIREMENTS.

(A) All department managers shall submit to the ~~City Administrator~~ **Purchasing Agent** requisitions for supplies, materials, equipment and contractual services required for departmental operations within the limits of funds appropriated therefor. The ~~City Administrator~~ **Purchasing Agent** may require department managers to justify the quantity or quality of supplies, materials, equipment and contractual services requisitioned.

(B) All department heads shall file with the City Administrator estimates of their requirements for supplies, materials, equipment and contractual services in the form, at the time and for the future periods as the City Administrator shall prescribe.

(1985 Code, § 9-25) (Ord. 18-032, passed 12-11-2018)

§ 34.27 CONTRACTS, PURCHASES AND SALES.

(A) All purchases of, and contracts for, supplies, materials, equipment and contractual services and all sales of personal property found by the City Council not to be required for public use, shall be based, whenever possible, on competitive bids. If the amount of the expenditure for a contractual service or for a commodity normally obtained from the same source of supply, or for a sale of personal property found by the City Council not to be required for public use, is estimated to exceed \$25,000, contract bids shall be solicited by public notice and written contracts shall be awarded, except when the services of central state purchasing are utilized. ~~The methods and extent of public notice shall be prescribed by the City Council.~~ If newspaper advertisements are employed as public notice, the notice shall include a general description of the commodities or services to be purchased or the commodities to be sold, shall state where contract bids and specifications may be secured, and shall specify the time and place for opening of bids.

(B) The ~~City Administrator~~ **Purchasing Agent shall may**, in addition, solicit bids from prospective bidders, as listed on the bidders list, by sending them copies of the newspaper notice or other notice as will acquaint them with the proposed purchase or sale. All pending purchases or sales shall also, in all cases, be advertised by posting a copy of the contract bid form on a public bulletin board in or adjacent to the City Hall.

(C) (1) All bids shall be submitted sealed to the ~~City Administrator~~ **Purchasing Agent** on the official contract bid form and, in an envelope,, which shall have indicated thereon the class of commodities to be purchased and the established time for opening of bids. A tabulation of all bids received, whether accepted or rejected, shall be open for public inspection during regular business hours for a period of not less than 30 calendar days after the bid opening.

(2) The ~~City Administrator~~ **Purchasing Agent** shall submit a copy of the tabulation and all bids received to the City Council, together with the Administrator's award. The ~~City Administrator~~ **Purchasing Agent** may reject any or all bids for any or all commodities or contractual services included in the bid form and may re-advertise for bids when the public interest will be served thereby, but will report the action and the reasons therefor to the City Council. If all bids received are for the same total amount or unit price, and if the public interest will not permit the delay of re-advertising for bids, the City Council may authorize the City Administrator **or Purchasing Agent** to award the contract to one of the tie bidders by drawing of lots in public, or to purchase the commodities or contractual services in the open market, provided the price paid in the open market shall not exceed the lowest contract bid price submitted for the same commodity or contractual service. In all other cases, the contract shall be awarded by the City Council to the lowest responsible bidder for purchases and the highest responsible bidder for sales. In determining the lowest or highest responsible bidder, the City Council and the ~~City Administrator~~ **Purchasing Agent** shall take into consideration the quality offered and its conformity with the specifications, the delivery and discount terms and conditions of the bid, the service reputation of the bidder and other information and data required to prove the bidder's responsibility.

(D) Contracts for personal property sales shall be awarded by the City Council to the highest responsible bidder and shall be subject to all other applicable requirements of this section.

(E) It shall be the duty of the ~~City Administrator~~ **Purchasing Agent** to discourage uniform bidding by every possible means, and to endeavor to obtain full and open competition on all purchases and sales. Accordingly, the ~~City Administrator~~ **Purchasing Agent** shall require each bidder to accompany the bidder's bid with a statement made under oath that the bidder has not been a party with other bidders to an agreement to bid a fixed or uniform price. Violation of the statement shall render void the bid of the bidders. Any disclosure to, or acquisition by, a competitive bidder, in advance of the opening of the bids of the terms or conditions of the bid submitted by another competitor shall render the proceedings void and shall require re-advertising for bids.

(F) All contract forms shall be approved by the City Attorney as to legality. All contracts shall be signed on behalf of the city by the Purchasing Agent. A copy of each signed

contract shall be filed with the City Clerk.

(G) No city real property shall be sold except by ordinance of the City Council and after the publication of the notice of sale in a newspaper of general circulation in the city at least seven days prior to the sale. The notice shall contain a property description, the name of the purchaser and the terms of and consideration for the sale. (1985 Code, § 9-26) (Ord. 18-032, passed 12-11-2018)

#### § 34.28 OPEN MARKET PURCHASES AND SALES.

(A) If the amount of the expenditure for a contractual service or a class of commodities normally obtained from the same source of supply, or for a sale of personal property found by the City Council not to be required for public use, is estimated to be less than \$25,000, it shall be an open market transaction and shall not be subject to the requirements of § 34.27. However, all open market transactions shall, whenever possible, be based on at least three competitive bids.

(B) The ~~City Administrator~~ **Purchasing Agent** shall solicit bids by direct mail requests to prospective bidders for the class of commodities being purchased or sold as listed on the bidders list, and by posting a copy of the invitation to bid on a public bulletin board in or adjacent to the City Hall. However, bids may be solicited by telephone for open market purchases or sales of less than \$5,000.

(C) Written bids shall be submitted sealed to the ~~City Administrator~~ **Purchasing Agent** in an envelope indicating the class of commodities being purchased or sold, and the established time for opening of the bids. All written bids shall be opened at the time and place stated in the invitation. The ~~City Administrator~~ **Purchasing Agent** shall make a tabulation of all written and telephone bids, and the records shall be open to public inspection for at least 30 days after the date of the bid opening or telephone transaction.

(D) Notwithstanding any other provision of this chapter, if the purchase of supplies, materials, equipment or contractual services is less than \$1,000, the City Administrator, at the Administrator's discretion only, may waive the competitive bidding requirements of this section and may make the purchases without calling for bids. The City Administrator shall not delegate to any other city officer or employee the discretion of determining whether a purchase involving an expenditure of less than \$1,000 shall be based on competitive bids. However, price and quality being equal preference shall be given to responsible local bidders.

(1985 Code, § 9-27) (Ord. 18-032, passed 12-11-2018)

#### § 34.29 LOCAL PREFERENCE POLICY.

(A) The city seeks to encourage the participation of local businesses to provide goods and/or services to the city, resulting in increased economic activity through more local jobs, tax revenues and to entice businesses to locate in the city.

(B) For purposes of this section, a LOCAL BUSINESS shall be defined as follows:

(1) The business has established and maintained a physical presence within the city limits via the ownership or lease of a building or portion of a building, for a period of not less than 12 consecutive months; and

(2) The business employs a minimum of two full time employees at the physical location inside the city limits; and

(3) The business has maintained a valid business license for the past 12 months; and

(4) The business is not delinquent to the city in any payments; and

(5) There are no active code enforcement or planning/zoning actions against the business.

(C) Local preference exemptions:

(1) Purchases greater than \$25,000.

(2) The local preference policy is not applicable to contracts required by state or federal statutes or regulations to be awarded to the lowest responsible bidder.

(3) Purchases funded by outside agencies that prohibit the use of preferences; examples include but are not limited to state or federal funding.

(D) A local business shall indicate on the quote or bid submission that the business qualifies as a "local business" under this policy. The city is not responsible for investigating whether a business qualifies as a local bidder if the indication is not included on the submitted quote or bid.

(E) The preferential discount of 5% may be applied to the low bid of "local business" when determining the lowest responsible bid. This policy applies to the purchase of goods and services that are purchased with a total cost of less than \$25,000.

(F) In instances where a local business and a non-local business submit equivalent lowest responsible bids or tie bids, the ~~City Administrator~~ **Purchasing Agent** has the option to give preference to the local business.

(G) The ~~City Administrator~~ **Purchasing Agent** may provide the local business bidder, who is within 5% of the lowest responsible bidder, with a notice and an opportunity to

reduce its bid to match the lowest non-local bid. Notice may be given by telephone, in writing, or electronic mail. The local business shall have three business days after the date of such notice to match the lowest bid in writing. Should the local business match, it may be deemed the lowest responsible bidder.

(H) No contract awarded under this section shall be assigned or subcontracted in any manner that permits more than 50% of the dollar value of the contract to be performed by an entity that is not a local business.

(I) The city shall not make any preference to local businesses that may result in burdensome or unreasonable costs to the taxpayers nor should it restrict the city from rejecting inferior products or services.

(J) The city reserves the right to waive or amend this policy when deemed appropriate and the City Administrator has the sole and final authority to resolve any disputes that may arise over this policy.

(Ord. 18-032, passed 12-11-2018)

#### § 34.30 REQUESTS FOR QUALIFICATIONS.

Prior to soliciting bids, the ~~City Administrator~~ **Purchasing Agent** may issue a request for qualifications from prospective bidders. Such request shall contain at minimum, a description of the goods or services to be solicited by the request for qualifications, the general scope of the work, the deadline for submission of the information, and how the prospective bidders may apply for consideration. The request shall require information concerning the prospective bidders' product specifications, qualification, experience, and ability to perform the requirements of the contract. After receipt of the responses to the request for qualification from prospective bidders, the prospective bidders shall be ranked from most qualified to least qualified based on the information provided by the ~~City Administrator~~ **Purchasing Agent**. The ~~City Administrator~~ **Purchasing Agent** may then request formal bids from one or more of the top-ranked bidders. The failure of a prospective bidder to be selected to receive the invitation for bids shall not be grounds for protest.

(Ord. 18-032, passed 12-11-2018)

#### § 34.31 REQUEST FOR PROPOSALS.

(A) Proposals are typically requested for goods or services that are highly technical or complex in nature. Examples include but are not limited to the following: professional services, legal services, architectural services, engineering services. The use of proposals shall be determined by the ~~City Administrator~~ **Purchasing Agent**. The ranking of proposals shall be performed by the ~~City Administrator~~ **Purchasing Agent** and/or City Council. Rankings shall be based on whose proposal is the most advantageous to the city. Price does not need to be an evaluation factor in the determination of acceptability of the proposal; however, evaluation factors should be stated in the request for proposals.

(B) Prior to soliciting proposals, and at the discretion of the ~~City Administrator~~ **Purchasing Agent**, a request for qualifications may be requested from prospective bidders.

(Ord. 18-032, passed 12-11-2018)

#### § 34.32 PURCHASES OF PATENTED OR PROPRIETARY ARTICLES.

(A) When the city requires supplies, materials or equipment produced by only one manufacturer, the ~~City Administrator~~ **Purchasing Agent** shall specify the manufacturer's make or brand in the invitation to bid and shall obtain competitive bids from authorized dealers or distributors of the manufacturer. If the manufacturer is the only bidder and only source of supply, the ~~City Administrator~~ **Purchasing Agent** is authorized to negotiate an open market purchase on contract with the manufacturer at prices and on terms most advantageous to the city.

(B) When the city requires supplies, materials or equipment which is patented or proprietary and which is obtainable in two or more equally satisfactory and competitive makes, brands or types, the ~~City Administrator~~ **Purchasing Agent** shall list the acceptable and competitive makes, brands or types in the invitation to bid. The lists shall also include the phrase "or equal" to permit bidders to bid on alternate or additional makes, brands or types. It shall be incumbent on each bidder to prove to the satisfaction of the ~~City Administrator~~ **Purchasing Agent** that the alternate or additional make, brand or type offered is equal in quality or performance to those listed in the invitation to bid.

(1985 Code, § 9-28) (Ord. 18-032, passed 12-11-2018)

#### § 34.33 PROJECT DELIVERY METHODS

(A) The City may use a design-build contract as alternative project delivery methods in appropriate circumstances. The City Administrator may determine in his or her discretion the appropriate procedure is a design-build method. The Purchasing Agent shall advertise and seek appropriate proposals. Because the nature of a design-build involve sometimes competing considerations of the best design, price, and qualifications of the applicant,



such delivery methods shall not require the use of a sealed bid process and shall be based on the total merit of the applicant's proposal. Because the nature of design build contracts often involve permanent improvements, the Purchasing Agent shall provide a summary the merits of each proposal for City Council to select the most qualified proposal or to reject all proposals.

(B) The City may use the construction manager at-risk method as an alternative delivery method in appropriate circumstances. The City Administrator may determine in his or her sole discretion the appropriate procedure is a construction manager at-risk method. The Purchasing Agent shall advertise and seek appropriate proposals for the construction manager at-risk method. Because the construction manager at-risk method involves competing consideration of price and skills for a project where the design has already been determined or will be determined by separate selection, the Purchasing Agent shall determine the most qualified applicant taking into consideration price and quality.

#### § 34.334 AVAILABILITY OF FUNDS.

Except in emergencies as provided for in § 34.25, no notice of award of contract shall be issued, no contract shall be signed and no open market purchase order shall be issued until the Finance Director shall have certified that the unexpended balance in the budget appropriation or appropriations concerned is sufficient to defray the amount of the contract or purchase order.

(1985 Code, § 9-29) (Ord. 18-032, passed 12-11-2018)

#### § 34.335 SPLITTING REQUIREMENTS; ILLEGAL PURCHASES.

(A) It shall be unlawful for any department of the city government to split its requirements for supplies, materials, equipment and contractual services into estimated amounts of less than \$25,000 in order to evade the provisions of § 34.27.

(B) If any department of city government purchases or contracts for any supplies, materials, equipment or contractual services contrary to the provisions of this chapter, the purchase or contract shall be void and of no effect. The employee making the purchase or contract shall be personally liable for the amount of the purchase or contract, and if already paid for out of city funds, the amount therefor may be recovered in the name of the city in an appropriate legal action.

(1985 Code, § 9-30) (Ord. 18-032, passed 12-11-2018)

#### § 34.336 GRATUITIES.

(A) The acceptance of any gratuity in the form of cash, merchandise or any other thing, except those items or things of nominal value, by an official or employee of the city from any vendor or contractor, shall be deemed a violation of this chapter and shall be cause for removal or other disciplinary action.

(B) The offer of any gratuity to any official or employee of the city by any vendor or contractor, or prospective vendor or contractor, shall be cause for declaring the individual or firm an irresponsible bidder and debarring them from bidding as provided by § 34.36.

(1985 Code, § 9-31) (Ord. 18-032, passed 12-11-2018)

#### § 34.337 DEBARMENT OF IRRESPONSIBLE BIDDERS.

The City Administrator may determine and declare a bidder to be irresponsible for the reasons cited in the definition thereof in §§ 34.34 and 34.35. If a bidder is determined to be irresponsible, the City Administrator may remove the bidder from the bidder's list and may debar the bidder from bidding for a reasonable period, but not less than one year. The debarred bidder shall be furnished with a statement of the reason for the action.

(1985 Code, § 9-32) (Ord. 18-032, passed 12-11-2018)

#### § 34.338 INSPECTION.

(A) The receiving department shall inspect deliveries of supplies, materials and equipment, or the furnishing of contractual services to insure their conformance with the specifications set forth in the purchase order or contract.

(B) The City Administrator shall have the authority to require chemical and physical tests of samples submitted with bids and samples of deliveries to the extent necessary to determine their quality and conformance to the specifications.

(1985 Code, § 9-33) (Ord. 18-032, passed 12-11-2018)

#### § 34.339 SURPLUS, OBSOLETE AND WASTE COMMODITIES.

(A) All departments shall submit to the City Administrator, at times and in the form as the City Administrator shall prescribe, reports showing stocks of all supplies, materials and equipment no longer used or which have become obsolete, worn out or scrapped. The City Administrator shall have authority to transfer any commodities which are unusable to another department in lieu of filling requisitions for the purchase of new or additional stock of the same or similar articles.

(B) The City Administrator shall have the authority to sell all the supplies, materials and equipment which cannot be used by any department and has been found by the City Council not to be required for public use, or to exchange or trade in the articles in part or full payment for new supplies, materials or equipment of a similar nature. Any sale, exchange or trade shall be made in accordance with §§ 34.27 and 34.28, whichever is applicable.

(1985 Code, § 9-34) (Ord. 18-032, passed 12-11-2018)

**§ 34.40 APPROVAL BY CITY COUNCIL OF CONTRACTS OVER \$25,000; EXEMPTIONS AND PRIOR APPROVALS.**

City Council shall approve all contracts over \$25,000, except:

(A) Contracts and items as listed in § 34.22 EXEMPTIONS

(B) Contracts for goods and/or services approved by City Council by an identifiable line item in the current budget year

(C) Contracts for good and/or services that (i) are a part of a larger transaction that has already been approved by City Council and (ii) do not exceed the amount budgeted for such part in the original approval

(D) Contracts for goods and/or services that are to be paid with proceeds of a debt issue if the project is identified in the ordinance authorizing the bond issue; and

(E) Contracts which do not exceed by more than 10%, up to a \$25,000 maximum, the amount previously authorized by City Council via the methods set forth in (B), (C) or (D) of this section.

All ordinances in conflict with this ordinance are hereby repealed.

This ordinance shall be effective on the date of final reading.

INTRODUCED the 11<sup>th</sup> day of May, 2021.

DONE the \_\_\_\_\_ day of June, 2021.

\_\_\_\_\_  
Mayor Gregory S. Habib

Attest: \_\_\_\_\_  
Kelly J. Lovette, MMC, City Clerk

\_\_\_\_\_  
Mayor Pro Tem Jerry Tekac

\_\_\_\_\_  
Councilmember Debra Green-Fletcher

\_\_\_\_\_  
Councilmember Corey McClary

\_\_\_\_\_  
Councilmember Gayla S.L. McSwain

\_\_\_\_\_  
Councilmember Hannah J. Cox

\_\_\_\_\_  
Councilmember Melissa Enos



# Request for City Council Agenda Item

**To:** Mayor and City Council Members

**From:** Mark Brodeur

*Please check one box*

Regular Meeting

Special Meeting

Work Session

*Please check one box, if applicable*

Ordinance

Resolution

Proclamation

Request to  
Purchase

## Ordinance/Resolution Title

AN ORDINANCE TO AMEND THE "CODE OF ORDINANCES OF THE CITY OF GOOSE CREEK, SOUTH CAROLINA", BY AMENDING TITLE XV - LAND USAGE, SUBCHAPTER "ZONING BOARD OF APPEALS SECTION 151.173(B)(1) - MEETINGS", AND SUBCHAPTER "ARCHITECTURAL REVIEW BOARD SECTION 151.190(F)(6) - MEETINGS" BY REMOVING ANY REFERENCES TO THE START TIME FOR THEIR RESPECTIVE MEETINGS - (Introduction and First Reading of a Public Hearing)

## Background Summary

The proposed Zoning Code Text Amendment would remove any Municipal Code requirements for the starting time of public meetings before the Architectural Review Board and Zoning Board of Appeals.

## Financial Impact

None

## Impact if denied

Both the ARB and the ZBA would not be permitted to meet at an earlier or later time.

## Impact if approved

ARB and ZBA would be permitted to vary their start times to accommodate the public.

Department Head:

City Administrator:

\_\_\_\_\_  
*Signature & Date*

\_\_\_\_\_  
*Signature & Date*



THE CITY OF  
**GOOSE CREEK**  
BERKELEY CO. EST. 1961 SO. CAROLINA

Mark J. Brodeur  
Planning Director

CITY HALL  
519 N. GOOSE CREEK BLVD.  
P.O. DRAWER 1768  
GOOSE CREEK, SC 29445-1768

TEL (843) 797-6220 EXT 1118  
FAX (843) 863-5208

[mbrodeur@cityofgoosecreek.com](mailto:mbrodeur@cityofgoosecreek.com)

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Mark Brodeur, Planning and Zoning Director

**DATE:** June 8, 2021

**SUBJECT:** Public Hearing to consider the elimination of a 'Start Time' for meetings before the Architectural Review Board and Zoning Board of Appeals

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**Proposal:**

The proposed Zoning Code Text Amendment would remove any Municipal Code requirements for the starting time of public meetings before the Architectural Review Board and Zoning Board of Appeals.

**Background:**

Only two Boards/Commissions in the City have their start time established by Municipal Code. Those Boards and Commissions may find that those start times are not appropriate and may want to establish their own start times as the need arises.

The Architectural Review Board (ARB) and the Zoning Board of Appeals (ZBA) have their start times established by the Municipal Code as outlined in Chapters 151.173 and 151.190. No other Boards or Commissions have their meeting start times regulated by the Municipal Code.

**Discussion:**

It would seem inconsistent that only two Boards or Commissions have their start times regulated by the Municipal Code. Other boards, including the City Council are not bound by such restrictions. At different times, each board or commission may want to adjust their start times to accommodate its members, staff or the public as appropriate.

**Recommendation:**

Open and hold a Public Hearing and recommend the removal of the Municipal Code sections that establish a start time for the Architectural Review Board and Zoning Board of Appeals meetings.



## **§ 151.173 ORGANIZATION, MEETINGS AND RULES OF PROCEDURE.**

### *(A) Organization.*

(1) *Rules.* The rules of procedures are adopted pursuant to S.C. Code § 6-29-790.

(2) *Officers.* The officers of the ZBA shall be a Chairperson and a Vice-Chairperson elected for a one year term before the end of each calendar year. The ZBA shall appoint a member of the staff of the City as Secretary (non-voting member) of the ZBA.

(3) *Chairperson.* The Chairperson shall be a voting member of the ZBA and shall have the following duties:

(a) Call meetings of the ZBA;

(b) Preside at meetings and hearings, and swear in witnesses;

(c) Act as spokesperson for the ZBA;

(d) Sign documents for the ZBA;

(e) Have orders of the ZBA served on parties, and in case of contempt may certify the fact to the Circuit Court having jurisdiction; and

(f) Perform other duties approved by the ZBA.

(4) *Vice-Chairperson.* The Vice-Chairperson shall exercise the duties of the Chairperson in the absence, disability or disqualification of the Chairperson. In the absence of the Chairperson and Vice-Chairperson, the acting Chairperson shall be elected by the members present.

(5) *Secretary.* The duties of the Secretary shall be as follows:

(a) Provide and publish notice of appeals and meetings;

(b) Assist the Chairperson in preparation of agenda;

(c) Keep recordings and minutes of meetings and hearings showing the vote of each member upon each question, or if absent or failing to vote, indicating that fact;

(d) See that property involved in appeals and variances or special exceptions is properly posted;

(e) Keep records of ZBA examinations and other official actions;

(f) Maintain ZBA records as public records;

(g) Serve ZBA decisions on parties;

(h) Attend to ZBA correspondences; and

(i) Perform other duties normally carried out by a Secretary.

### *(B) Meetings.*

(1) *Time and place.* All scheduled meetings shall be open to the public and conducted in accordance with state law. Parties in interest may appear personally or by agent. ZBA meetings shall be held ~~at 6:30 p.m.~~ at the Marguerite Brown Municipal Center, 519 North Goose Creek Boulevard, unless otherwise announced. Special meetings may be held on the call of the Chairperson upon 24 hours' notice, at the other times as the ZBA may determine, posted and delivered to all members and the local news media, and designate the time and place of its meetings.

## **ARCHITECTURAL REVIEW BOARD**

### **§ 151.190 ORGANIZATION.**

The Architectural Review Board shall organize itself as follows:

(A) *Creation.* There is hereby created an Architectural Review Board (hereinafter referred to as the “ARB”) to be composed of seven members appointed by the Mayor and City Council (hereinafter referred to as “the Council”), City of Goose Creek. The Council will consider for appointment to the ARB only those persons who reside in the city and have demonstrated their civic interest, general knowledge of the city, independent judgment and availability to prepare for and attend meetings. Members shall also have a demonstrated interest in, and/or competence and knowledge of, architecture, landscape architecture and urban design. It is the intent of City Council that members shall, by reason of diversity in their individual occupations, constitute an ARB which is broadly representative of the Community.

(B) *Terms of office.* The members of the ARB shall be identified by place numbers one through seven. The four odd-numbered places shall expire on December 31, of each odd-numbered year, with the three even-numbered to expire on December 31, of each even-numbered year. Vacancies shall be filled for unexpired terms. ARB members may be appointed to succeed themselves. All terms shall be for two years, except those initially appointed to the ARB whose terms expire on December 31, of the first odd or even numbered year as stated above. Newly appointed members shall be installed at the first regularly scheduled ARB meeting after their appointment. No member shall be the holder of an elected public office in the city while serving on the ARB.

(C) *Vacancy.* A vacancy in a term of office shall occur whenever Council finds that a member has resigned, not maintained required qualifications, has not attended properly called meetings without just cause or has been found guilty of malfeasance or misconduct in office.

(D) *Intent and purposes.* The intent and purposes of the ARB are as follows:

(1) To protect and provide for the unique, special and desired character of the Commercial and Light Industrial Districts and uses inside the City of Goose Creek, in terms of positive visual and aesthetic appearances of these districts and uses including their respective roadways;

(2) The above intent and purpose can be achieved through positive site design, superior architectural standards, attractive street scape improvements, adequate provision of landscape elements and harmonious combinations of signage along both sides of the roadways and street scales of the City of Goose Creek;

(3) To discourage piecemeal development and create unity along the Commercial and Light Industrial Districts and uses of the city;

(4) To foster civic beauty;



(5) To encourage designs which produce a desirable relationship between individual buildings, the circulation system and adjacent areas and to permit a flexible, high quality response of development to a variety of land uses and activities;

(6) To assure respect for the character, integrity and quality of the built and natural environments of the city; and

(7) It is not the intent of the city to stifle innovative architecture.

(E) *Duties and powers.* All new developments proposed within the Commercial and Light Industrial Districts and uses of the city shall be subject to the procedures, standards and guidelines specified in the following sections, in addition to those standards pertaining to the particular zoning district in which the development occurs. This will be accomplished through evaluation of proposed developments by the ARB which shall review the character, and appearance of the proposed developments in a positive manner. It is the purpose of the review to determine, in a cooperative fashion with the developer (hereinafter referred to as the "applicant"), whether the proposed plan meets the guidelines and other standards as specified.

(1) *Criteria for modifications; changes to be reviewed by the ARB.* If any of the criteria below applies, ARB approval is required:

(a) Modifications and/or changes in excess of 10% of the property value of a parcel of property shall be reviewed by the ARB, but this shall be 50% for structures that predate the existence of the Architectural Review Design Ordinance adopted April 20, 1993;

(b) Substantial architectural change in the structure(s);

(c) All color changes;

(d) All changes in signs; and

(e) Change in appearance of structure(s).

(2) *Annual report.* The ARB shall submit an annual report to Council each year, summarizing its activities and achievements. The report shall include the identity of ARB members and their respective meeting attendance record.

(F) *Organization and rules of procedures.*

(1) *Rules.* The rules of procedures are adopted pursuant to S.C. Code § 6-29-790.

(2) *Officers.* The officers of the ARB shall be a Chairperson and a Vice-Chairperson elected for one-year term before the end of each calendar year. The ARB shall appoint a member of the staff of the city as Secretary (non-voting member) of the ARB.

(3) *Chairperson.* The Chairperson shall be a voting member of the ARB and shall have the following duties:

(a) Call meetings of the ARB;

- (b) Presides at meetings and hearings, and swear in witnesses;
- (c) Act as spokesperson for the ARB;
- (d) Sign documents for the ARB;
- (e) Have order of the ARB served on parties, and in case of contempt, may certify the fact to the circuit court having jurisdiction; and
- (f) Perform other duties approved by the ARB.

(4) *Vice-Chairperson.* The Vice-Chairperson shall exercise the duties of the Chairperson in the absence, disability or disqualification of the Chairperson. In the absence of the Chairperson and Vice-Chairperson, the acting Chairperson shall be elected by the members present.

(5) *Secretary.* The duties of the Secretary shall be as follows:

- (a) Provide and publish notice of appeals and meetings;
- (b) Assist the Chairperson in preparation of agenda;
- (c) Keep recordings and minutes of meetings and hearings, showing the vote of each member upon each question, or if absent or failing to vote, indicating that fact;
- (d) Keep records of ARB examinations and other official actions;
- (e) Maintain ARB records as public records;
- (f) Attend to ARB correspondences; and
- (g) Perform other duties normally carried out by a Secretary.

(6) *Meetings.*

(a) *Time and place.* All regularly scheduled meetings shall be open to the public, and conducted in accordance with state law. Parties in interest may appear personally or by agent. Regular meetings shall be held each month on the third Monday, at 6:30 p.m. at the Marguerite Brown Municipal Center, 519 North Goose Creek Boulevard, unless otherwise announced. Special meetings may be held on the call of the Chairperson upon 24 hours notice, at other times as the ARB may determine, posted and delivered to all members and the local news media, and designate the time and place of its meetings. Deadlines for ARB meetings occur at least 14 days prior to meeting dates. An annual schedule of regular meetings shall be adopted, published and posted at City Hall in December of each year.

AN ORDINANCE

AN ORDINANCE TO AMEND THE "CODE OF ORDINANCES OF THE CITY OF GOOSE CREEK, SOUTH CAROLINA", BY AMENDING TITLE XV – LAND USAGE, SUBCHAPTER "ZONING BOARD OF APPEALS SECTION 151.173(B)(1) - MEETINGS", AND SUBCHAPTER ARCHITECTURAL REVIEW BOARD SECTION 151.190(F)(6) MEETINGS" BY REMOVING ANY REFERENCES TO THE START TIME FOR THEIR RESPECTIVE MEETINGS

WHEREAS, the City Council of the City of Goose Creek held a public hearing on June 8, 2021, to receive public comment and to consider a change in the Municipal Code removing references to meeting start times for the Zoning Board of Appeals and the Architectural Review Board, and;

WHEREAS, the City Council of Goose Creek desires to allow individual boards and commissions to establish their own start times as may be necessary to accommodate the public, and;

WHEREAS, the current zoning subchapters specifically require that the Zoning Board of Appeals (ZBA) and Architectural Review Board (ARB) meet at 6:30 pm, and;

WHEREAS, the City Council of Goose Creek wants to remove inconsistent elements in the Code.

NOW, THEREFORE, BE IT ORDAINED and ordered by the Mayor and City Council of the City of Goose Creek, South Carolina, that the Code of Ordinances of the City of Goose Creek, South Carolina, is hereby amended to remove mandated start times for meetings for any board or commission.

All ordinances and provisions in conflict herewith are repealed, and if any sentence, clause, phrase, or word contained herein shall be held invalid, such invalidity shall not affect the validity of the remainder of this ordinance.

This ordinance shall become effective immediately upon adoption.

INTRODUCED the 8th day of June 2021.

DONE the \_\_\_\_\_ day of July 2021.

\_\_\_\_\_  
Mayor Gregory S. Habib

Attest: \_\_\_\_\_  
Kelly J. Lovette, MMC, City Clerk

\_\_\_\_\_  
Mayor Pro Tem Jerry Tekac

\_\_\_\_\_  
Councilmember Debra Green-Fletcher

\_\_\_\_\_  
Councilmember Corey McClary

\_\_\_\_\_  
Councilmember Gayla S.L. McSwain

\_\_\_\_\_  
Councilmember Hannah J. Cox

\_\_\_\_\_  
Councilmember Melissa Enos



# Request for City Council Agenda Item

To: MAYOR AND CITY COUNCIL

From: MARK J BRODEUR

*Please check one box*

Regular Meeting

Special Meeting

Work Session

*Please check one box, if applicable*

Ordinance

Resolution

Proclamation

Request to  
Purchase

## Ordinance/Resolution Title

AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF GOOSE CREEK, SOUTH CAROLINA, BY CHANGING THE ZONING CLASSIFICATION OF THE PROPERTY LOCATED AT 128 HOWE HALL ROAD (TMS # 252-01-03-007) FROM CONSERVATION/OPEN SPACE DISTRICT (CO) TO GENERAL COMMERCIAL DISTRICT (GC) - (Introduction and First Reading of a Public Hearing)

## Background Summary

Request rezoning by owner of a property located on Howe Hall Road. The property, 128 Howe Hall Road, is an existing mini storage facility named "Mini Warehouses of Goose Creek". The rezone proposal is to rezone this 2.35-acre property from Conservation/Open Space (C/OS) to General Commercial (GC).

## Financial Impact

The scope of the financial impact is significant in a positive way.

## Impact if denied

Property may not be improved as a Non-conforming Use.

## Impact if approved

Approval will permit the property owner to make needed improvements to existing use.

Department Head:

City Administrator:

\_\_\_\_\_  
*Signature & Date*

\_\_\_\_\_  
*Signature & Date*



THE CITY OF  
**GOOSE CREEK**

BERKELEY CO. EST. 1961 SO. CAROLINA

Mark J. Brodeur  
Planning Director

CITY HALL  
519 N. GOOSE CREEK BLVD.  
P.O. DRAWER 1768  
GOOSE CREEK, SC 29445-1768

TEL (843) 797-6220 EXT 1118  
FAX (843) 863-5208

mbrodeur@cityofgoosecreek.com

**TO:** Mayor and City Council

**FROM:** Mark Brodeur, Director, Planning & Zoning

**DATE:** June 8, 2021

**SUBJECT:** Rezoning Request

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**Proposal:**

The applicant, Wando Properties, LLC, has requested to come before the Council to request rezoning a property located on Howe Hall Road. The property, 128 Howe Hall Road, is an existing mini storage facility named "Mini Warehouses of Goose Creek". The rezone proposal is to rezone this 2.35-acre property from Conservation/Open Space (C/OS) to General Commercial (GC). According to the Berkeley County Property Card, the property was annexed into the City of Goose Creek effective August 13, 2013.

**Background:**

The subject property is identified as TMS #252-01-03-007. The property defines one of the City boundaries at the southern end of Goose Creek. The property is narrow and very deep. There is one primary structure that is very long and narrow. There are also several uncovered RV's stored on the lot.

**Discussion:**

As currently situated, the mini-storage land use is a legal non-conforming use in the Conservation/Open Space Zoning designation. Since the use is non-conforming, no expansion or substantial improvements are permitted. The applicant wishes to change the zoning in order to make small, incremental improvements to the office and primary structure.

The current use is categorized in the Zoning Ordinance as "Warehousing, mini warehouses, with units having access from exterior of unit". That use is permitted in the City's General Industrial District and Heavy Industrial District. The applicant and staff felt that those two proposed zoning designations were inappropriate given the zoning currently surrounding the property. Thus, the applicant simply wants to rezone the property General Commercial while acknowledging that only small improvements can be made.

The subject site is bounded by a variety of land uses. Directly across the street is Howe Hall Aims Elementary School. Flanking the site is a vacant 5.21-acre wooded site that is zoned General Commercial and owned by Wando Properties LLC. This property was annexed into the City in 2006. On the other flank, the properties are in Berkeley County and are zoned R-2 and General Commercial. There are no industrially zoned properties in the vicinity.

**Recommendation:**

Hold the first reading of two readings and direct the City Clerk to schedule the second of the two public hearings.





## STAFF REPORT FOR THE CITY OF GOOSE CREEK PLANNING COMMISSION & CITY COUNCIL

For reference, the City of Goose Creek Code of Ordinances are available online at  
<https://www.cityofgoosecreek.com/government/code-ordinances>

Agenda Item	
<b>Request #:</b>	<b>2520103007</b>
<b>Applicant:</b>	David W. Bunch, Chairman/CEO Bunch Truck Group
<b>Location/Address:</b>	128 Howe Hall Road
<b>Requested Zoning District:</b>	GC – General Commercial

Subject Parcel	
<b>Property Owner:</b>	Wando Properties, LLC
<b>Tax Map Number:</b>	252-01-03-007
<b>Approximate Acreage:</b>	2.35
<b>Plat Book &amp; Page:</b>	3738, Page 0321
<b>NEW Comprehensive Plan Land Use Map Designation:</b>	Village Node Mixed Use
<b>Current Zoning:</b>	CO - Conservation Open Space

Property Zoning to the		Property Uses to the	
<b>North:</b>	General Commercial	<b>North:</b>	School
<b>South:</b>	General Commercial	<b>South:</b>	Multi-Family Residential
<b>East:</b>	Berkeley County General Commercial	<b>East:</b>	Duplex residential and vacant
<b>West:</b>	General Commercial	<b>West:</b>	Vacant

Aerial Map

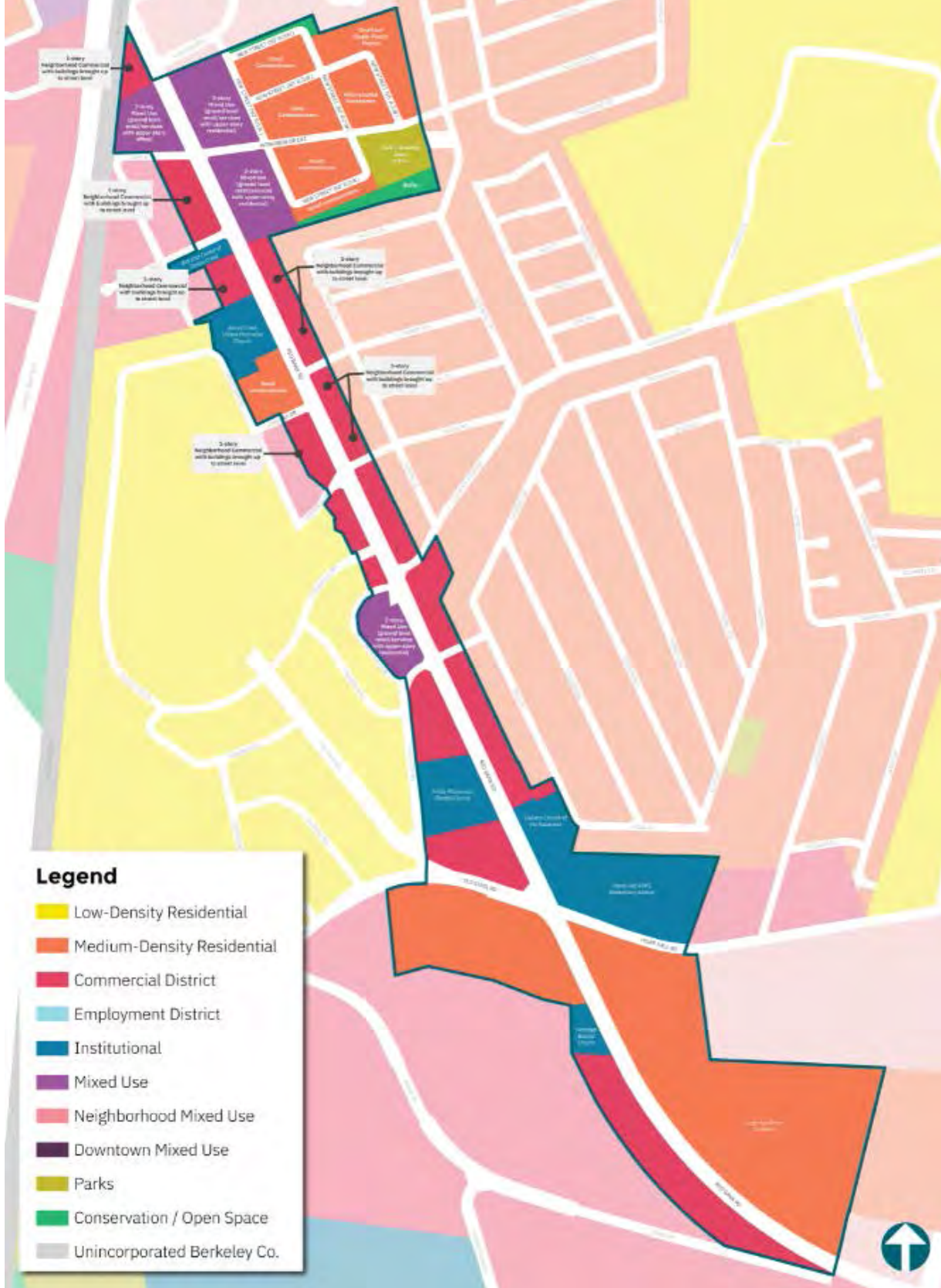


Zoning Map





# Red Bank Road Corridor Framework Plan



<b>Relationship to Comprehensive Plan</b>
The newly created Comprehensive Plan tentatively recommends this area for Village Node District. The
Village Node District is intended to encourage the mixture of residential, commercial and institutional uses in a walkable setting.

<b>History of Property</b>		
<b>Date</b>	<b>Type of Request</b>	<b>Decision</b>
<b>2006</b>	<b>Annexation</b>	<b>Annexed</b>

<b>Staff Comments</b>
The Applicant is requesting to rezone the parcel from CO - Conservation Open Space to GC General Commercial. In 2006 when it was annexed into the City the Co Zoning was automatically applied to the property. The applicant never sought to rezone it appropriately.
Click or tap here to enter text.
<b>An existing mini storage facility occupies the site. The applicant would like to remove the “mobile home” office into a more permanent structure.</b>

<b>Anticipated Meeting Schedule</b>		
<b>Body</b>	<b>Meeting Date</b>	<b>Action</b>
<b>Planning Commission</b>	<b>April 6, 2021</b>	<b>Pending</b>
<b>Planning Commission</b>	Click or tap here to enter text.	
<b>City Council Public Hearing</b>	<b>May 11, 2021</b>	<b>Pending</b>
<b>City Council Public hearing</b>	<b>June 8, 2021</b>	<b>Pending</b>
<i>City Council Meetings subject to change. Please check the website for up-to-date information.</i>		

<b>Planning Commission Voted to _____ the request by a vote of __ to _____.</b>	
<b>Planning Commission Comments:</b>	
<b>Motion was made to _____ the rezoning of 128 Howe Hall Road from Conservation/Open Space to General Commercial on April 6, 2021.</b>	
<b>Planning Commission Chair Signature:</b>	<b>Date: April 6, 2021</b>
<b>Joshua Johnson</b>	

AN ORDINANCE

AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF GOOSE CREEK, SOUTH CAROLINA, BY CHANGING THE ZONING CLASSIFICATION OF THE PROPERTY LOCATED AT 128 HOWE HALL ROAD (TMS # 252-01-03-007) FROM CONSERVATION/OPEN SPACE DISTRICT (CO) TO GENERAL COMMERCIAL DISTRICT (GC)

WHEREAS, the Planning Commission of the City of Goose Creek held a public hearing on April 6, 2021 to receive public comment and to consider a change in zoning classification from Conservation/Open Space (CO) to General Commercial (GC); and

WHEREAS, pursuant to said public hearing, the Planning Commission voted unanimously to recommend approval of the rezoning of the property aforesaid to the General Commercial (GC) zoning district; and

WHEREAS, the City Council of the City of Goose Creek unanimously voted to support the zone change.

NOW, THEREFORE, BE IT ORDAINED and ordered by the Mayor and City Council of the City of Goose Creek, South Carolina, that the Zoning Map of the City of Goose Creek, South Carolina, is hereby amended by changing the zoning district classification of the property located at 128 Howe Hall Road, designated as TMS #235-01-03-007, from Conservation/Open Space (CO) to General Commercial (GC).

All ordinances and provisions in conflict herewith are repealed, and if any sentence, clause, phrase, or word contained herein shall be held invalid, such invalidity shall not affect the validity of the remainder of this ordinance.

This ordinance shall become effective immediately upon adoption.

INTRODUCED the 8th day of June 2021.

DONE the \_\_\_\_\_ day of July 2021.

\_\_\_\_\_  
Mayor Gregory S. Habib

Attest: \_\_\_\_\_  
Kelly J. Lovette, MMC, City Clerk

\_\_\_\_\_  
Mayor Pro Tem Jerry Tekac

\_\_\_\_\_  
Councilmember Debra Green-Fletcher

\_\_\_\_\_  
Councilmember Corey McClary

\_\_\_\_\_  
Councilmember Gayla S.L. McSwain

\_\_\_\_\_  
Councilmember Hannah J. Cox

\_\_\_\_\_  
Councilmember Melissa Enos



# Request for City Council Agenda Item

**To:** Natalie Zeigler, City Administrator, Mayor and City Council

**From:** Brian Cook, Asst. City Administrator

*Please check one box*

Regular Meeting

Special Meeting

Work Session

*Please check one box, if applicable*

Ordinance

Resolution

Proclamation

Request to  
Purchase

## Ordinance/Resolution Title

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF GOOSE CREEK, SOUTH CAROLINA, TO PROVIDE FOR CHANGES TO THE ZONING ORDINANCE BY REPEALING IN ITS ENTIRETY THE CURRENT CHAPTER 152. SMALL WIRELESS FACILITIES AND REPLACING IT WITH A NEW CHAPTER 152. STANDARDS FOR PLACEMENT OF SMALL WIRELESS FACILITIES - (Introduction and First Reading of a Public Hearing)

## Background Summary

The S.C. General Assembly by Act 179 of 2020, referred to as the South Carolina Small Wireless Facilities Deployment Act, established terms, conditions, procedures, rates, and fees upon which Small Wireless Facilities may be deployed in the right of way. The new version MASC model ordinance is proposed.

## Financial Impact

Minimal

## Impact if denied

Not fully in compliance with the South Carolina Small Wireless Facilities Deployment Act

## Impact if approved

In compliance with the South Carolina Small Wireless Facilities Deployment Act

Department Head:

City Administrator:

\_\_\_\_\_  
*Signature & Date*

\_\_\_\_\_  
*Signature & Date*

AN ORDINANCE

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF GOOSE CREEK, SOUTH CAROLINA, TO PROVIDE FOR CHANGES TO THE ZONING ORDINANCE BY REPEALING IN ITS ENTIRETY THE CURRENT CHAPTER 152. SMALL WIRELESS FACILITIES AND REPLACING IT WITH A NEW CHAPTER 152. STANDARDS FOR PLACEMENT OF SMALL WIRELESS FACILITIES

WHEREAS, the City of Goose Creek (the "Municipality") encourages wireless infrastructure investment and wishes to provide a fair and predictable process for the deployment of Small Wireless Facilities (as defined herein) while managing the right of way in a manner that promotes the interests of the public health, safety, and welfare;

WHEREAS, the Municipality recognizes that Small Wireless Facilities, including facilities commonly referred to as small cell and distributed antenna systems, are critical to delivering wireless access to advanced technology, broadband, and 9-1-1 services to residences, businesses, and schools within the Municipality;

WHEREAS, the Municipality recognizes that Small Wireless Facilities together with high-capacity transport medium such as fiber optic cabling may be effectively deployed in the right of way;

WHEREAS, by Act 179 of 2020, referred to as the South Carolina Small Wireless Facilities Deployment Act and codified as S.C. Code §§ 58-11-800 et seq. (the "SWF Act"), the South Carolina General Assembly has established the terms, conditions, procedures, rates, and fees upon which Small Wireless Facilities may be deployed in the right of way;

WHEREAS, the Municipality has previously enacted Ordinance No. 18-014 on July 10, 2018 (the "Prior SWF Ordinance"), which established the terms, conditions, procedures, rates, and fees that shall apply to the deployment of Small Wireless Facilities in the right of way;

WHEREAS, in order to ensure that the Municipality is in compliance with the SWF Act, the Municipality hereby repeals the Prior SWF Ordinance and replaces it, in its entirety and effective immediately, with the text set forth below;

WHEREAS, this Ordinance is intended to grant municipal consent to use of the right of way and establish a standard application process to streamline the issuance of necessary permits in a manner that is not a barrier to competition, and does not unnecessarily delay the implementation and installation of Small Wireless Facilities;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GOOSE CREEK, SOUTH CAROLINA, that Title XV of the Municipality's Code of Ordinances is hereby amended by repealing in its entirety the current Chapter 152 and by replacing it to add a new Chapter 152 entitled "Standards for Placement of Small Wireless Facilities," to read as follows:

Section 1. Definitions.

"Antenna" means (a) communications equipment that transmits or receives electromagnetic radio frequency signals used in the provision of Wireless Services; and (b) similar equipment used for the transmission or reception of surface waves.

"Applicable Codes" means uniform building, fire, electrical, plumbing, or mechanical codes adopted by a recognized national code organization, or local amendments to those codes that are of general application, address public safety, and are consistent with this Ordinance.

"Applicant" means any Person who submits an Application.

"Application" means a request submitted by an Applicant for a Permit to (i) Collocate Small Wireless Facilities; or (ii) install, modify, or replace a Pole.

"Collocate" means to install, mount, maintain, modify, operate, or replace Small Wireless Facilities on or adjacent to a Pole or Support Structure. "Collocation" has a corresponding meaning.

"Communications Facility" means the set of equipment and network components, including wires, cables, surface wave couplers, and associated facilities used by a cable operator, as defined in 47

U.S.C. Section 522(5); a provider of "video service" as defined in S.C. Code § 58-12-300(10); a telecommunications carrier, as defined in 47 U.S.C. Section 153(51); a provider of information service, as defined in 47 U.S.C. Section 153(24); or a Wireless Services Provider to provide Communications Services, including cable service, as defined in 47 U.S.C. Section 522(6); telecommunications service, as defined in 47 U.S.C. Section 153(53); an information service, as defined in 47 U.S.C. Section 153(24); Wireless Services; surface wave communication; or other one-way or two-way communications service.

"Communications Network" means a network used to provide Communications Service.

"Communications Service" means cable service as defined in 47 U.S.C. Section 522(6), information service as defined in 47 U.S.C. Section 153(24), telecommunications service as defined in 47 U.S.C. Section 153(53), or Wireless Services.

"Communications Service Provider" means a cable operator, as defined in 47 U.S.C. Section 522(5); a provider of information service, as defined in 47 U.S.C. Section 153(24); a telecommunications carrier, as defined in 47 U.S.C. Section 153(51); or a Wireless Provider.

"Day" means a calendar day unless the last day for the Municipality or an Applicant to take action under this Ordinance ends on a weekend, holiday, or time when all, but Municipality emergency services are closed due to weather or some unforeseen situation.

"Decorative Pole" means a Pole, including a Municipality Pole, that is specially designed and placed for aesthetic purposes and on which no appurtenances or attachments (other than a Small Wireless Facility, public safety devices, or specially designed informational or directional signage or temporary holiday or special event attachments) have been placed or are permitted to be placed according to nondiscriminatory rules or codes.

"Design District" means a discrete area within the jurisdiction of the Municipality for which the Municipality maintains and enforces unique design and aesthetic standards on a uniform and nondiscriminatory basis among all occupants of the ROW, on the grounds that the characteristics of the discrete area warrant design and aesthetic standards that differ from those that apply to the majority of the areas within the jurisdiction of the Municipality. [The Design Districts in existence or otherwise established as of the date hereof are set forth in Exhibit A hereto.]

"Design Manual" means a manual or guidebook that sets forth additional aesthetic, design, concealment, and stealth requirements applicable to Small Wireless Facilities. The Design Manual may also, but need not, set forth examples of Small Wireless Facility deployments that the Municipality deems to comply with this Ordinance. [The initial form of the Design Manual is attached hereto as Exhibit B.]

"Eligible Facilities Request" means a request for modification of an existing tower or base station (as those terms are defined in 45 CFR §1.6100(b)) that does not involve a substantial change in the physical dimensions of such tower or base station and that involves Collocation of new transmission equipment, removal of transmission equipment, or replacement of transmission equipment.

"Fee" means a one-time, non-recurring charge.

"Historic District" means a group of buildings, properties, or sites that is either:

(a) listed in the National Register of Historic Places or formally determined eligible for listing by the Keeper of the National Register, the individual who has been delegated the authority by the federal agency to list properties and determine their eligibility for the National Register, in accordance with Section VI.D.1.a.i.v of the Nationwide Programmatic Agreement codified at 47 C.F.R. Part 1, Appendix C; or

(b) a registered historic district pursuant to State law at the time the Application is submitted; or

(c) an "overlay zone," as defined in and limited by the South Carolina Comprehensive Planning Act, (1) that has been established by the Municipality at least sixty days prior to the relevant Application; (2) for which the special public interest to be protected is the preservation and protection of historic and architecturally valuable districts and neighborhoods or archaeologically significant resources according to uniform design standards; and (3) for which the Municipality maintains and enforces objective standards that are published in advance and applied on a uniform and nondiscriminatory basis.

“Micro Wireless Facility” means a Small Wireless Facility that (a) is not larger in dimension than twenty-four inches in length, fifteen inches in width, and twelve inches in height; and (b) for which no exterior antenna is longer than eleven inches.

“Municipality Pole” means a Pole owned, managed, or operated by or on behalf of the Municipality; provided, however, that such term shall not include any Pole, Support Structure, electric transmission structure, or equipment of any type that is part of a municipally owned or municipally controlled electric plant or system for furnishing of electricity to the public for compensation. The term Municipality Pole shall include, without limitation, Poles that the Municipality leases, rents, licenses, or otherwise compensates the owner thereof for the provision of street lighting.

“Permit” means a written authorization, in electronic or hard copy format, required to be issued by the Municipality to initiate, continue, or complete the Collocation of a Small Wireless Facility or the installation, modification, or replacement of a Pole upon which a Small Wireless Facility is to be Collocated.

“Person” means an individual, corporation, limited liability company, partnership, association, trust, or other entity or organization, including the Municipality.

“Pole” means a vertical pole such as a utility, lighting, traffic, or similar pole made of wood, concrete, metal, or other material that is lawfully located or to be located within the ROW including, but not limited to, a replacement Pole and a Municipality Pole. A Pole shall not include a support structure or electric transmission structure.

“Rate” means a recurring charge.

“Right of Way” or “ROW” means the area through, upon, over, or under a road, highway, street, sidewalk, alley, or similar property provided; however, that such term shall apply only to property or any interest therein that is under the ownership or control of the Municipality and shall not include property or any interest therein acquired for or devoted to a federal interstate highway. For purposes of this definition, the Municipality shall be deemed to have “control” of property and interests thereon owned by the State and/or the South Carolina Department of Transportation to the extent that such property and interests are within the territorial jurisdiction of the Municipality.

“Small Wireless Facility” means radio transceivers; surface wave couplers; Antennas; coaxial or fiber optic cable located on a Pole or Support Structure, immediately adjacent to a Pole or Support Structure, or directly associated with equipment located on a Pole or Support Structure and within a one hundred-foot radius of the Pole or Support Structure; regular and backup power supplies and rectifiers; and associated ancillary equipment, regardless of technological configuration, at a fixed location or fixed locations that enable communication or surface wave communication between user equipment and a Communications Network and that meets both of the following qualifications:

(a) each Wireless Provider’s Antenna could fit within an enclosure of no more than six cubic feet in volume; and

(b) all other wireless equipment associated with the Small Wireless Facility, whether ground- or pole-mounted, is cumulatively no more than twenty-eight cubic feet in volume. The following types of associated ancillary equipment are not included in the calculation of the volume of all other wireless equipment associated with any such facility: electric meters, concealment elements, network interface devices, grounding equipment, power transfer switches, cut-off switches, and vertical cable runs for the connection of power and other services.

The term “Small Wireless Facility” does not include: the Pole, Support Structure, or improvements on, under, or within which the equipment is located or Collocated or to which the equipment is attached; Wireline Backhaul Facilities; or coaxial or fiber optic cable that is between Small Wireless Facilities, Poles, or Support Structures or that is otherwise not immediately adjacent to or directly associated with a particular Antenna. For purposes of this definition, in order to be considered directly associated with equipment located on a Pole or Support Structure, coaxial or fiber optic cable must not extend more than one hundred feet in radial circumference from the base of the Pole or Support Structure to which the Antenna is attached. No portion of a Small Wireless Facility may be used as a Wireline Backhaul Facility.

“State” means the State of South Carolina.

“Supplemental Review Districts” means Design Districts, Historic Districts, and Underground Districts.



“Support Structure” means a building, billboard, or any other structure in the ROW to which a Small Wireless Facility is or may be attached. A “Support Structure” shall not include an electric transmission structure or pole.

“Technically Feasible” means that by virtue of engineering or spectrum usage, the proposed placement for a Small Wireless Facility or its design, concealment measures, or site location can be implemented without a material reduction in the functionality of the Small Wireless Facility.

“Underground District” means a group of buildings, properties, or sites in which the Municipality, at least sixty days prior to the relevant Application, has required all communications and electric lines in the specified geographic area to be placed underground, and for which the Municipality maintains and enforces objective standards that are published in advance and applied on a uniform and nondiscriminatory basis. [The Underground Districts in existence or otherwise established as of the date hereof are set forth in Exhibit A hereto.]

“Wireless Infrastructure Provider” means any Person, including a Person authorized to provide telecommunications service in the State, acting to build or install wireless communication transmission equipment, Small Wireless Facilities, or Support Structures, but that is not a Wireless Services Provider.

“Wireless Provider” means a Wireless Infrastructure Provider or a Wireless Services Provider.

“Wireless Services” means any services using licensed or unlicensed spectrum, including the use of Wi-Fi, whether at a fixed location or mobile, provided to the public.

“Wireless Services Provider” means a Person who provides Wireless Services.

“Wireline Backhaul Facility” means an above-ground or underground wireline facility used to transport communications between a small wireless facility network interface device and a network or another small wireless network interface device.

## Section 2. Purpose and Scope; General Provisions.

(a) Purpose. The purpose of this Ordinance is to provide policies and procedures for the placement of Small Wireless Facilities in ROWs within the jurisdiction of the Municipality.

(b) Scope and Intent. It is the intent of this Ordinance to establish uniform standards applicable to the application for and deployment of Small Wireless Facilities in a manner that serves the interests of the Municipality, its citizens, and the general public by advancing the following purposes:

- (1) Prevention of interference with the use of streets, sidewalks, alleys, parkways, traffic light poles or other light poles, and other public ways and places;
- (2) Prevention of visual and physical obstructions and other conditions that are hazardous to vehicular and pedestrian traffic;
- (3) Prevention of interference with other facilities and operations of facilities lawfully located in the ROWs or public property;
- (4) Preservation of the character of neighborhoods where facilities are installed;
- (5) Preservation of the character of and applicable land use requirements within Design Districts, Historic Districts, and Underground Districts; and
- (6) Facilitation of the rapid deployment of Small Wireless Facilities to provide the citizens with the benefits of advanced Wireless Services.

(c) Applicable only to Small Wireless Facilities. Nothing in this Ordinance limits the Municipality's powers with respect to wireless facilities that are not Small Wireless Facilities in the ROW, or Poles that are used for purposes other than installation of Small Wireless Facilities in the ROW.

(d) Right to Prevent Interference. The Municipality retains the right to require that all Small Wireless Facilities shall be operated and maintained in a manner that does not interfere with public safety (police, traffic control, fire, and emergency services) equipment.

(e) Imminent Risk to Public Safety. If the Municipality determines that a Wireless Provider's activity in the ROW pursuant to this Ordinance creates an imminent risk to public safety,

the Municipality may provide written notice to the Wireless Provider and demand that the Wireless Provider address such risk. If the Wireless Provider fails to reasonably address the risk within twenty-four hours of the written notice, the Municipality may take or cause to be taken action to reasonably address such risk and charge the Wireless Provider the reasonable documented cost of such actions.

Section 3. Permitted Use; Application Process and Fees.

(a) Permitted Use and Consent. A Wireless Provider shall have the right, as a permitted use subject to review and conditions as set forth herein, to Collocate Small Wireless Facilities and install, maintain, modify, operate, and replace Poles in the ROW. These structures and facilities must be installed and maintained so as not to create a safety hazard; obstruct or hinder the usual travel in or the public's safe use of the ROW; or obstruct the legal use of the ROW by utilities. In accordance with Article VIII, Section 15 of the State Constitution and related municipal code and ordinance provisions, the Municipality consents to the use of the ROW by Permit holders acting in compliance with this Ordinance.

(b) Permit Required.

(1) No Person shall Collocate a Small Wireless Facility or install a new, modified, or replacement Pole or Support Structure associated with a Small Wireless Facility without first filing a Small Wireless Facility Application and obtaining a Permit as set forth herein. The Municipality may require an Applicant to obtain additional permits for such activity, provided that such additional permits are of general applicability and do not apply exclusively to Small Wireless Facilities. An Applicant shall not be required to obtain or pay any fees for a building permit, as the Permit issued pursuant to this Ordinance serves as a building permit for the applicable Poles and Small Wireless Facilities. Any applications for any such additional permits, once submitted, must be acted upon within the same number of days as an Application for a Permit under this Ordinance. The Municipality shall publish and keep current a list of each additional permit that is required for the Collocation of a Small Wireless Facility or the installation of a new, modified, or replacement Pole. Any failure to comply with this subsection by a Wireless Provider shall allow the Municipality, in its sole discretion, to restore the ROW to its condition prior to the unpermitted Collocation or installation and to charge the responsible Wireless Provider its reasonable, documented cost of restoration, plus a penalty not to exceed one thousand dollars (\$1,000). The Municipality may suspend the ability of the Wireless Provider to receive any new Permits from the Municipality until the Wireless Provider has paid the amount assessed for such restoration costs; provided, however, that the Municipality shall not suspend such ability of any Applicant that has deposited the amount in controversy in escrow pending an adjudication of the merits.

(2) For deployments in ROWs under the ownership or control of the South Carolina Department of Transportation ("SCDOT"), a Wireless Provider may, in lieu of filing a formal Application hereunder, request that the Municipality evidence its approval of the proposed deployment by consenting in writing to the Wireless Provider's application for a SCDOT encroachment permit. If the Municipality consents in writing to the issuance of an SCDOT encroachment permit, it shall concurrently therewith issue a Permit consistent with such consent. In all cases, the Municipality's consent may be conditioned on compliance with the Municipality's lawful and applicable design, aesthetic, stealth, and concealment standards, and subject to the foregoing, the Municipality will not unreasonably withhold or delay its written consent. Notwithstanding the foregoing, the Wireless Provider shall retain the right to file a formal Application for a Permit hereunder, in which case the terms, conditions, and requirements of this Ordinance shall apply in full to such Application.

(c) Permit Applications. All Applications filed pursuant to this Ordinance shall be on a form, paper or electronic, as required by the Municipality. The Applicant may designate portions of its Application materials that it reasonably believes contain proprietary or confidential information as "proprietary" or "confidential" by clearly marking each page of such materials accordingly, and the Municipality shall endeavor to protect materials so designated from public disclosure to the fullest extent permitted by State law.

(d) Application Requirements. The Application shall be made by the Applicant, or its duly authorized representative as noted in a notarized statement from the Applicant, and shall contain the following:

(1) the Applicant's name, address, telephone number, and email address, including emergency contact information for the Applicant;

(2) the names, addresses, telephone numbers, and email addresses of all consultants, if any, acting on behalf of the Applicant with respect to the filing of the Application;

(3) a general description of the proposed work and the purposes and intent of the proposed facility. The scope and detail of such description shall be appropriate to the nature and character of the physical work to be performed, with special emphasis on those matters likely to be affected or impacted by the physical work proposed;

(4) detailed construction drawings regarding the proposed use of the ROW;

(5) to the extent the proposed facility involves Collocation on a Pole, Decorative Pole, or Support Structure, a structural report performed by a duly licensed engineer in South Carolina evidencing that the Pole, Decorative Pole, or Support Structure will structurally support the Collocation, or that the Pole, Decorative Pole, or Support Structure may and will be modified to meet structural requirements, in accordance with Applicable Codes;

(6) for any new aboveground facilities, visual depictions, or representations if such are not included in the construction drawings;

(7) information indicating the approximate horizontal and vertical locations, relative to the boundaries of the ROW, of the Small Wireless Facility for which the Application is being submitted;

(8) if the Application is for the installation of a new Pole or replacement of a Decorative Pole, a certification that the Wireless Provider has determined after diligent investigation that it cannot meet the service objectives of the Application by Collocating on an existing Pole or Support Structure on which:

(A) the Wireless Provider has the right to Collocate subject to reasonable terms and conditions; and

(B) such Collocation would be Technically Feasible and would not impose significant additional costs. The Wireless Provider shall certify that it has made such a determination in good faith, based on the assessment of an engineer licensed in South Carolina, and shall provide a written summary of the basis for such determination;

(9) if the Small Wireless Facility will be Collocated on a Pole or Support Structure owned by a third party, other than a Municipality Pole, a certification that the Wireless Provider has permission from the owner to Collocate on the Pole or Support Structure;

(10) an affirmation that the Applicant is, on the same date, submitting applications for the permits identified in the list the Municipality maintains pursuant to Section 3(b) of this Ordinance;

(11) any additional information reasonably necessary to demonstrate compliance with the criteria set forth in Section 4(f) of this Ordinance; and

(12) for any Applicant that is not a Wireless Services Provider, an attestation that a Wireless Services Provider has requested in writing that the Applicant Collocate the Small Wireless Facilities or install, modify, or replace the Pole at the requested location.

(e) Routine Maintenance and Replacement. An Application shall not be required for: (1) routine maintenance; (2) the replacement of Small Wireless Facilities with Small Wireless Facilities that are substantially similar or the same size or smaller; or (3) the installation, placement, maintenance, operation, or replacement of Micro Wireless Facilities that are suspended on cables that are suspended between Poles or Support Structures in compliance with Applicable Codes by a Wireless Provider that is authorized to occupy the ROW and that is remitting a consent, franchise, or administrative fee pursuant to S.C. Code Ann. § 58-9-2230. Notwithstanding the foregoing, the Municipality may require that prior to performing any activity described above, an Applicant must apply for and receive a permit for work that requires excavation or closure of sidewalks or vehicular lanes within the ROW for such activity. Such a permit must be issued to the Applicant on a nondiscriminatory basis upon terms and conditions that are consistent with Applicable Codes and that apply to the activities of any other Person in the ROW that require excavation or the closing of sidewalks or vehicular lanes.

(f) Information Updates. Any amendment to information contained in an Application shall be submitted in writing to the Municipality within ten (10) business days after the change necessitating the amendment.

(g) Consolidated Application. An Applicant seeking to Collocate Small Wireless Facilities may submit a single consolidated Application, provided that such a consolidated Application shall be for a geographic area no more than two miles in diameter and for no more than thirty Small Wireless Facilities. In such case, the Applicant may receive a single Permit for the Collocation of multiple Small Wireless Facilities. The denial of one or more Small Wireless Facilities in a consolidated Application must not delay processing of any other Small Wireless Facilities in the same consolidated Application. Solely for purposes of calculating the number of Small Wireless Facilities in a consolidated Application, a Small Wireless Facility includes any Pole on which such Small Wireless Facility will be Collocated.

(h) Application Fees. The Municipality hereby determines that the following Fees for Applications are reasonable and nondiscriminatory and do not recover more than the Municipality's direct costs for processing an Application. For each Application, the Municipality hereby imposes Fees as follows:

(1) for Applications to Collocate Small Wireless Facilities on existing Poles or Support Structures, one hundred dollars (\$100) each for the first five Small Wireless Facilities in the same Application and fifty dollars (\$50) for each additional Small Wireless Facility in the same Application;

(2) for Applications to Collocate Small Wireless Facilities on new Poles, one thousand dollars (\$1,000) for each Pole, which Fee covers both the installation of the new Pole and the Collocation on the new Pole of associated Small Wireless Facilities; and

(3) for Applications to Collocate Small Wireless Facilities on modified or replacement Poles, two hundred fifty dollars (\$250) for each Pole, which Fee covers both the modification or replacement of the Pole and the Collocation on the Pole of associated Small Wireless Facilities.

The Application Fee shall apply to a Wireless Provider regardless of whether the Wireless Provider is subject to a business license tax that is or may be imposed upon it pursuant to S.C. Code Section 58-9-2220 or a franchise, consent, or administrative fee that is or may be imposed upon it pursuant to S.C. Code Section 58-9-2230. The Application Fee shall apply to a Communications Service Provider regardless of whether the Communications Service Provider is subject to a franchise fee that is or may be imposed upon it pursuant to S.C. Code Section 58-12-330.

(i) Consultant Fees. To the extent that the Municipality engages one or more consultants to assist in review of Applications, the Municipality shall impose a Fee for such Applications to the extent permitted by, and calculated in accordance with, S.C. Code Section 58-11-850(D)(4).

#### Section 4. Action on Permit Application.

(a) Notice of Incompleteness. Within ten days of receiving an Application, the Municipality must determine and notify the Applicant in writing whether the Application is complete. If an Application is incomplete, the Municipality shall specifically identify the missing information in writing. The processing deadline set forth in Section 4(b) below is tolled from the time the Municipality sends the notice of incompleteness to the time the Applicant provides the missing information. The processing deadline also may be tolled by agreement of the Applicant and the Municipality, confirmed in writing.

(b) Time Requirements for Review of Applications. An Application must be processed on a nondiscriminatory basis. The following shall apply to all Applications except those for Eligible Facilities Requests, which are addressed below in Section 4(c). The Municipality shall make its final decision to approve or deny the Application within sixty (60) days of receipt of a complete Application for Collocation of Small Wireless Facilities and within ninety (90) days of receipt of a complete Application for the installation, modification, or replacement of a Pole and the Collocation of associated Small Wireless Facilities on the installed, modified, or replaced Pole. If the Municipality fails to act on an Application within the applicable time period, the Applicant may provide the Municipality written notice that the time period for acting has lapsed. The Municipality shall then have twenty (20) days after receipt of such notice to render its written decision. The Application shall be deemed to have been approved by passage of time and operation of law if the Municipality does not render its written decision within the noticed twenty (20) days. If applicable federal or State law establishes a shorter period or different requirements for action, the Municipality shall comply with

such applicable law, but the remedy for non-compliance shall be limited to the remedy established by that applicable law.

(c) **Eligible Facilities Requests.** If the Application is an Eligible Facilities Request, the Municipality shall approve the Application within 60 days of receipt of the Application, subject to tolling after notification of an incomplete application until the date when the Applicant submits all the documents and information identified in the notice of incompleteness. Any approval shall be operative, and any Permit issued pursuant to this subsection shall remain in effect, only for so long as federal law (47 U.S.C. § 1455) and implementing Federal Communications Commission regulations (47 C.F.R. §1.40001) provide for special approval of an Eligible Facilities Request. In approving an Eligible Facilities Request hereunder, the Municipality intends only to comply with the requirements of federal law and not to grant any property rights, interests, or consents except as compelled by federal law.

(d) **Notice in Writing Required.** The Municipality shall notify the Applicant in writing of its final decision. If the Application is denied, the Municipality shall specify the basis for a denial, including citations to federal, State, or local code provisions and/or statutes on which the denial was based.

(e) **Right to Cure.** The Applicant may cure the deficiencies identified by the Municipality and resubmit the Application within thirty (30) days of the denial without paying an additional Application Fee. The Municipality shall approve or deny the revised Application within thirty (30) days of resubmission and limit its review to the deficiencies cited in the denial. If the Municipality fails to act on a revised Application within this thirty-day period, the Applicant may provide the Municipality written notice that the time period for acting has lapsed, and the Municipality shall then have five (5) days after receipt of such notice to render its written decision approving or denying the revised Application. The revised Application shall be deemed to have been approved by passage of time and operation of law if the Municipality does not render its written decision within the noticed five (5) days.

(f) **Permissible Bases for Denial.** The Municipality may deny an Applicant's proposed Collocation of a Small Wireless Facility or a proposed installation, modification, or replacement of a Pole, Decorative Pole, or Support Structure only if the proposed Collocation, installation, modification, or replacement:

(1) interferes with the safe operation of traffic control or public safety equipment;

(2) interferes with sight lines or clear zones for transportation or pedestrians;

(3) interferes with compliance with the Americans with Disabilities Act or similar federal or State standards regarding pedestrian access or movement;

(4) requests that ground-mounted Small Wireless Facility equipment be located more than seven and one-half feet in radial circumference from the base of the Pole, Decorative Pole, or Support Structure to which the Antenna is to be attached, provided that the Municipality shall not deny the Application if a greater distance from the base of the Pole, Decorative Pole, or Support Structure is necessary to avoid interfering with sight lines or clear zones for transportation or pedestrians or to otherwise protect public safety;

(5) fails to comply with the height limitations permitted by this Ordinance or (if applicable) in the Design Manual, or with reasonable and nondiscriminatory horizontal spacing requirements of general application adopted by an enactment that concern the location of ground-mounted equipment and new Poles;

(6) designates the location of a new Pole, Decorative Pole, or Support Structure for the purpose of Collocating a Small Wireless Facility within seven feet in any direction of an electrical conductor, unless the Wireless Provider obtains the written consent of the power supplier that owns or manages the electrical conductor;

(7) fails to comply with Applicable Codes;

(8) fails to comply with the requirements applicable to the aesthetic, stealth, and concealment requirements contained in this Ordinance, with the requirements applicable to Supplemental Review Districts, or (if applicable) with the Design Manual;

(9) fails to comply with laws of general applicability that address pedestrian and vehicular traffic and safety requirements; or

(10) fails to comply with laws of general applicability that address the occupancy or management of the ROW and that are not otherwise inconsistent with this article.

(g) Requirement to Replace or Upgrade. The Municipality may not require a Wireless Provider to replace or upgrade an existing Pole except for reasons of structural necessity, compliance with Applicable Codes, or compliance with this Ordinance (including, if applicable, the Design Manual). A Wireless Provider may, with the permission of the Pole owner, replace or modify existing Poles, but any such replacement or modification must be consistent with the design aesthetics of the Poles being modified or replaced.

(h) Compensation. Subject to the limitations set forth herein, every Permit shall include as a condition the Applicant's agreement to pay such lawful franchise fees, business license taxes, administrative fees, and consent fees as are permitted under applicable South Carolina and federal law. The Applicant shall also pay all applicable ad valorem taxes, service fees, sales taxes, or other taxes and fees as may now or hereafter be lawfully imposed on other businesses within the Municipality.

Section 5. Requirements for Small Wireless Facilities; New, Modified, or Replacement Poles; Decorative Poles.

(a) Administrative Review. The Municipality shall perform an administrative review of Applications including the location or installation of new, modified, or replacement Poles and/or Support Structures and the Collocation of Small Wireless Facilities and equipment on Poles or Support Structures. Review factors, in addition to location, shall include the size, shape, color, texture, and materials of the structures and attachments.

(1) The Municipality may require that a proposed Small Wireless Facility or new, modified, or replacement Pole be designed to not be significantly more readily apparent or plainly visible (to a reasonable person of ordinary sensibilities) than existing facilities, structures, equipment, and Poles located within five hundred (500) linear feet on the same ROW as the subject Small Wireless Facility, Pole, or Support Structure.

(2) Where Small Wireless Facilities are determined to be appropriate, the use of reasonable stealth and concealment treatments, low-profile equipment and control boxes, and screening may be required to avoid significant negative impacts on the character and visual aesthetics of the area. However, such requirements may be waived by the Municipality upon a showing that the particular location of a Small Wireless Facility does not warrant stealth or concealment treatments or imposes an excessive expense. The waiver shall be granted or denied within forty-five (45) days after the date of the request.

(3) Supplemental Review Districts identified in Section 5(c) [and listed in Exhibit A] may be subject to a higher level of review.

(4) The Municipality may maintain a Design Manual which sets forth additional aesthetic, design, concealment, and stealth requirements applicable to Small Wireless Facilities. The Design Manual may also, but need not, set forth examples of Small Wireless Facility deployments that the Municipality deems to comply with this Ordinance and provide a means for pre-approval of designs that are suitable for a particular location, even if not strictly compliant with the design, placement, and aesthetic requirements of this Ordinance provided the design otherwise serves the goals of this Ordinance. [If the Municipality initially adopts a Design Manual: The initial form of the Design Manual is attached hereto as Exhibit B. The Design Manual may be amended from time to time by way of a duly enacted resolution.]

(b) Maximum Size of Permitted Use.

(1) New Small Wireless Facilities (including any related Antenna) in the ROW may not extend more than ten feet above an existing Pole in place as of the effective date of this Ordinance, or for Small Wireless Facilities (including any related Antenna) on a new Pole, above the height permitted for a new Pole pursuant to this section.

(2) Each new, modified, or replacement Pole installed in the ROW may not exceed the greater of ten feet in height above the tallest existing Pole in place as of the effective date of this Ordinance located within five hundred feet of the new, modified, or replacement Pole in the same ROW, or fifty feet above ground level, except in Design Districts and Historic Districts where the height limit is forty feet above ground level.

(3) For Applications to place Poles in residential zoning districts to deploy Small Wireless Facilities, the Municipality may propose an alternate location in the ROW within one hundred fifty feet of the location set forth in the Application, and the Wireless Provider shall use the Municipality's proposed alternate location unless the location is not Technically Feasible or imposes significant additional costs. The Wireless Provider shall certify that it has made such a determination in good faith, based on the assessment of an engineer licensed in South Carolina, and it shall provide a written summary of the basis for such determination.

(4) Collocation is not allowed on a Decorative Pole less than twenty feet in height.

(5) New Poles are not permitted in a corridor where there are existing Poles that can be used, modified, or replaced to allow the proposed Collocation, unless the Applicant can demonstrate that (A) it is not Technically Feasible to use, modify, or replace such existing Poles; or (B) such use, modification, or replacement would impose significant additional costs on the Wireless Provider, as certified by the Wireless Provider in good faith and based on the assessment of an engineer licensed in South Carolina along with a written summary of the basis for the certification; or (C) a new Pole may be placed in a manner that will cause no more interference with the ROW and will have no more of an impact on the overall appearance of the corridor and on adjoining properties than would the use, modification, or replacement of an existing Pole.

(c) Supplemental Review Districts. Collocated Small Wireless Facilities and new, modified, or replacement Poles or Support Structures located in Supplemental Review Districts shall be subject to the compliant provisions (as defined in the SWF Act) pertaining to design and aesthetic standards in the ordinance establishing the Supplemental Review District(s) in addition to the requirements of this Ordinance. In addition, the following rules shall apply within the Supplemental Review Districts.

(1) Underground Districts. A Wireless Provider shall comply with reasonable and nondiscriminatory requirements that prohibit the installation of Poles in the ROW in an Underground District where: (A) no less than sixty days prior to the submission of the Application, the Municipality has required all such lines to be placed underground; (B) Poles the Municipality allows to remain are made available to Wireless Providers for the Collocation of Small Wireless Facilities and may be replaced by a Wireless Provider to accommodate the Collocation of Small Wireless Facilities in compliance with this Ordinance; and (C) a Wireless Provider is allowed to install a new Pole when it is not able to provide Wireless Services by Collocating on a remaining Pole or Support Structure. Nothing in this section shall prohibit the use or replacement of existing Poles or Support Structures in Underground Districts for the Collocation of Small Wireless Facilities subject to appropriate design and concealment measures and a finding that such use or replacement does not increase the height of the Pole or Support Structure by more than three feet.

For any such Application to install a new Pole in an Underground District, the Municipality may propose an alternate location in the ROW within one hundred fifty (150) feet of the location set forth in the Application. The Wireless Provider shall use the Municipality's proposed alternate location unless the location is not Technically Feasible or imposes significant additional costs. The Wireless Provider shall certify that it has made such a determination in good faith, based on the assessment of an engineer licensed in South Carolina, and it shall provide a written summary of the basis for such determination. For Small Wireless Facilities installed before the Municipality establishes an Underground District, the Municipality shall either permit Wireless Providers to maintain the Small Wireless Facilities in place or permit the Wireless Provider to replace the associated Pole within fifty (50) feet of the prior location. In the latter case, the Wireless Provider shall allow other Communications Service Providers with attachments on the existing Pole to place those attachments on the replacement Pole under the same or reasonably similar fees, rates, terms, and conditions as applied to those attachments on the existing Pole.

(2) Historic and Design Districts. The Municipality may require reasonable, Technically Feasible, nondiscriminatory, and technologically neutral design and aesthetic requirements, stealth requirements, height limitations of no less than forty feet, and/or concealment measures in a Design District or Historic District. For Applications to place Poles in a Design District or a Historic District to deploy Small Wireless Facilities, the Municipality may propose an alternate location in the ROW within one hundred fifty (150) feet of the location set forth in the Application. The Wireless Provider shall use the Municipality's proposed alternate location unless the location is not Technically Feasible or imposes significant additional costs. The Wireless Provider shall certify that it has made such

a determination in good faith, based on the assessment of an engineer licensed in South Carolina, and it shall provide a written summary of the basis for such determination.

This section may not be construed to limit a municipality's authority to enforce historic preservation zoning regulations consistent with the preservation of local zoning authority under 47 U.S.C. Section 332(c)(7), the requirements for facility modifications under 47 U.S.C. Section 1455(a), or the National Historic Preservation Act of 1966 (54 U.S.C. Section 300101 et seq.), and the regulations adopted to implement those laws.

(d) Appeals, Administrative Adjustments, and Variance Requirements. The Zoning Administrator shall be given authority to make field based administrative adjustments considering the specific criteria in this section and location factors. Appeals of administrative decisions and requests for other variances from the provisions of this Ordinance, when strict application would result in an unnecessary hardship or in the inability to deploy needed Small Wireless Facilities, shall be heard, and decided by the Board of Zoning Appeals. An Applicant seeking an approval to construct a new Decorative Pole, Pole, or Support Structure to Collocate a Small Wireless Facility in an Underground District shall demonstrate, including certification through an engineer should staff find it necessary, that it has diligently attempted to locate the proposed Decorative Pole, Pole, Support Structure, or Small Wireless Facility outside of the Underground District and that placement of the Decorative Pole, Pole, Support Structure, or Small Wireless Facility within the Underground District is necessary to provide the needed wireless coverage or capacity, and one or more of the following conditions exist supporting an approval:

(1) No existing Pole or Support Structure is located within the location search radius or to the extent a Pole or Support Structure is located within the search radius, such Pole or Support Structure:

(A) is not available for Collocation under commercially reasonable rates, terms, and conditions;

(B) cannot accommodate the Collocation of the Small Wireless Facility and meet the technical requirements necessary to deliver adequate wireless service coverage or capacity; or

(C) would require modifications exceeding the three-foot height limitation imposed in section 5(c)(1); or

(2) The only available option to deliver adequate wireless service coverage or capacity in the search radius requires modifications to an existing Pole or Support Structure exceeding the three-foot height limitation imposed in section 5(c)(1) or the installation of a new Pole or Support Structure for Collocation of a Small Wireless Facility, or

(3) The applicant has demonstrated other circumstances that, in the reasonable discretion of the applicable review body, warrant a variance.

The Applicant shall abide by the design, stealth, and concealment treatments imposed as conditions of the approval.

(e) Existing Supplemental Review Districts. [Supplemental Review Districts approved by the Municipality as of the effective date of this Ordinance are listed in Exhibit A.] Nothing in this Ordinance shall prohibit or otherwise limit the Municipality from establishing additional Supplemental Review Districts, provided however, that facilities and structures for which a Permit was approved or deemed approved pursuant to this Ordinance prior to the establishment of the additional Supplemental Review District remain subject to the provisions of this Ordinance, including routine maintenance and replacement of those facilities and structures as set out herein. If a Wireless Provider voluntarily replaces such facilities in a manner that does not comply with Section 3(e) of this Ordinance, or if a Wireless Provider voluntarily relocates such facilities, such replacement or relocation is subject to the then-existing provisions and requirements of the additional Supplemental Review District.

(f) Decorative Poles. Subject to the Municipality's ability to deny an Application as set forth in this Ordinance, a Wireless Provider must be permitted to Collocate on or replace Decorative Poles when necessary to deploy a Small Wireless Facility.

(1) The Municipality may require the Collocation on a Decorative Pole or the replacement of a Decorative Pole to reasonably conform to the design aesthetics of the original Decorative Pole, provided these requirements are Technically Feasible.



(2) For Applications to Collocate Small Wireless Facilities on Decorative Poles or to replace Decorative Poles to deploy Small Wireless Facilities, the Municipality may propose an alternate location in the ROW within one hundred fifty feet of the location set forth in the Application. The Wireless Provider shall use the Municipality's proposed alternate location unless the location is not Technically Feasible or imposes significant additional costs. The Wireless Provider shall certify that it has made such a determination in good faith, based on the assessment of an engineer licensed in South Carolina, and it shall provide a written summary of the basis for such determination.

(g) Repair of Damage. A Wireless Provider shall repair all damage to the ROW directly caused by the activities of the Wireless Provider in the ROW and shall restore the ROW to its condition before the damage occurred. If within thirty (30) calendar days after written notice the Wireless Provider fails to the extent practicable in the reasonable judgment of the Municipality to restore the ROW to its condition prior to the damage in compliance with this subsection, the Municipality may, at the sole discretion of the Municipality, restore the ROW to such condition and charge the applicable party the reasonable, documented cost of the restoration, plus a penalty not to exceed five hundred dollars (\$500) provided; however, that the Wireless Provider may request additional time to make such repairs, and the Municipality shall not unreasonably deny such a request. The Municipality may suspend the ability of the Wireless Provider to receive any new Permits from the Municipality until the Wireless Provider has paid the amount assessed for such restoration costs. The Municipality shall not suspend such ability of any Applicant that has deposited the amount in controversy in escrow pending an adjudication of the merits of the dispute.

#### Section 6. Effect of Permit; Occupancy and Use Fees.

(a) Authority Granted: No Property Right or Other Interest Created. A Permit from the Municipality authorizes an Applicant to undertake only certain activities in accordance with this Ordinance and does not create a property right or grant any authority whatsoever to the Applicant to impinge upon the rights of others who may already have an interest in the ROW. The approval of the installation, placement, maintenance, or operation of a Small Wireless Facility pursuant to this Ordinance neither constitutes an authorization nor affects any authorization a Wireless Provider may have to provide a Communication Service or to install, place, maintain, or operate any other Communications Facility, including a Wireline Backhaul Facility, in a ROW.

(b) Duration. Installation or Collocation for which a Permit is granted pursuant to this Ordinance must be completed within one year of the Permit issuance date unless the Municipality and the Applicant agree to extend this period, or a delay is caused by the lack of commercial power or by the lack of Communications Facilities to be provided to the site by an entity that is not an affiliate, as that term is defined in 47 U.S.C. Section 153(2), of the Applicant. Approval of an Application authorizes the Applicant to: (1) undertake the installation or Collocation; and (2) subject to applicable relocation requirements and the Applicant's right to terminate at any time, operate and maintain the Small Wireless Facilities and any associated Pole covered by the Permit for a period of ten years, which may be renewed for equivalent durations so long as the installation or Collocation is in compliance with the criteria set forth in this Ordinance and the Permit. Any conditions contained in a Permit, including without limitation conditions designed to reduce the visibility of the Small Wireless Facility and associated Pole, or to make any portion of the same appear to be something other than a Small Wireless Facility, shall apply for the entirety of the Permit term and shall include a duty to maintain and replace components as necessary to ensure continued compliance.

(c) Occupancy and Use Fees. The Municipality hereby determines that the following Rates for occupancy and use are reasonable and nondiscriminatory. For each Small Wireless Facility, the Municipality hereby imposes the following Rates:

(1) one hundred dollars (\$100) per year for each Small Wireless Facility Collocated on any existing or replacement Pole, including an existing or replacement Municipality Pole; and

(2) two hundred dollars (\$200) per year for each Small Wireless Facility Collocated on a new Pole, other than a replacement Pole, which two-hundred-dollar (\$200) Rate shall cover the new Pole and the Small Wireless Facility Collocated on it.

These Rates shall apply to a Wireless Provider regardless of whether the Wireless Provider is subject to a business license tax that is or may be imposed upon it pursuant to S. C. Code Section 58-9-2220 or a franchise, consent, or administrative fee that is or may be imposed upon it pursuant to S.C. Code Section 58-9-2230. These Rates shall apply to a Communications Service Provider regardless of whether the Communications Service Provider is subject to a franchise fee that is or may be imposed upon it pursuant to S.C. Code Section 58-12-330.

Section 7. Removal, Relocation or Modification of a Small Wireless Facility in the ROW.

(a) Widening, Repair, Reconstruction, and Relocation. If, in the reasonable exercise of police powers, the Municipality requires widening, repair, reconstruction, or relocation of a public road or highway, or relocation of Poles, Support Structures, or Small Wireless Facilities as a result of a public project, a Wireless Provider shall relocate Poles and Support Structures that such Wireless Provider has installed in the ROW for the Collocation of Small Wireless Facilities pursuant to this Ordinance at no cost to the Municipality if such Poles and Support Structures are found by the Municipality to unreasonably interfere with the widening, repair, reconstruction, or relocation project or the public project. If widening, repair, reconstruction, or relocation is required as a condition or result of a project by a Person other than the Municipality, such Person shall bear the cost of relocating such Poles or Support Structures and any Communications Facilities on such Poles or Support Structures.

(b) Emergency Removal or Relocation of Facilities. The Municipality retains the right to cut or move any Small Wireless Facility, Pole, or Support Structure located within the ROW as the Municipality, in its reasonable discretion, may determine to be necessary, appropriate, or useful in response to any public health or safety emergency. If circumstances permit, the Municipality shall notify the Wireless Provider and provide opportunity to move its own Small Wireless Facilities, Poles, or Support Structures prior to the Municipality cutting or removing a Small Wireless Facility, Pole, or Support Structure and the Municipality shall notify the Wireless Provider after cutting or removing a Small Wireless Facility.

(c) Abandonment of Facilities. The Applicant or the Person that owns or operates the Small Wireless Facility Collocated in the ROW may remove its Small Wireless Facilities at any time from the ROW upon not less than thirty (30) days' prior written notice to the Municipality and may cease paying to the Municipality any applicable Fees and Rates for such use, as of the date of the actual removal of the Small Wireless Facilities. In the event of such removal, the ROW shall be, to the extent practicable in the reasonable judgment of the Municipality, restored to its condition prior to the removal. If the Applicant fails, to the extent practicable in the reasonable judgment of the Municipality, to return the ROW to its condition prior to the removal within ninety (90) days of the removal, the Municipality may, at the sole discretion of the Municipality, restore the ROW to such condition and charge the Applicant the Municipality's reasonable, documented cost of removal and restoration, plus a penalty not to exceed five hundred dollars (\$500). The Municipality may suspend the ability of the Applicant to receive any new Permits from the Municipality until the Applicant has paid the amount assessed for such restoration. The Municipality shall not suspend such ability of any Applicant that has deposited the amount in controversy in escrow pending an adjudication of the merits of the dispute.

(d) Abandonment by Inaction. At any point when a Wireless Provider fails to pay any required Fee or Rate, and fails to respond within sixty (60) days to a written inquiry from the Municipality as to whether the Wireless Provider intends to continue to operate a Small Wireless Facility or Support Structure, for whatever reason, the Small Wireless Facility shall be deemed abandoned and the Municipality may, at its sole option, remove all or any portion of the Small Wireless Facility or Support Structure, or take other action as authorized by law, including recovery of actual costs incurred in removing the Small Wireless Facility or Support Structure.

Section 8. Attachment to Municipality Poles.

(a) Annual Rate. The rate to Collocate a Small Wireless Facility on a Municipality Pole shall be fifty dollars (\$50) per year. This rate is in addition to reimbursement to the Municipality for any expenses for make-ready work. The Municipality reserves the right to require a pole attachment agreement to further define the terms and conditions of attachments to Municipality Poles. The rates specified in this section shall not apply to poles owned, or operated and accounted for as an asset of, a municipal electric utility.

(b) Make-Ready. The Rates, Fees, terms, and conditions for make-ready work to Collocate on a Municipality Pole must be nondiscriminatory, competitively neutral, commercially reasonable, and in compliance with this Ordinance.

(1) The Municipality shall provide a good faith estimate for any make-ready work necessary to enable the Pole to support the requested Collocation by a Wireless Provider, including Pole replacement if necessary, within sixty (60) days after receipt of a complete Application. Alternatively, the Municipality may require the Wireless Provider to perform the make-ready work and notify the Wireless Provider of such within the sixty-day period. If the Wireless Provider or its contractor performs the make-ready work, the Wireless Provider shall indemnify the Municipality for any negligence by the Wireless Provider or its

contractor in the performance of such make-ready work and the work shall otherwise comply with applicable law.

(2) Make-ready work performed by or on behalf of the Municipality, including any Pole replacement, must be completed within sixty (60) days of written acceptance of the good faith estimate by the Applicant. The Municipality may require replacement of the Municipality Pole only if it demonstrates that the Collocation would make the Municipality Pole structurally unsound.

(3) The Person owning, managing, or controlling the Municipality Pole must not require more make-ready work than required to meet Applicable Codes or industry standards. Fees assessed by or on behalf of a Municipality for make-ready work, including any Pole replacement, must not include costs related to preexisting or prior damage or noncompliance; exceed either actual costs or the amount charged to other Communications Service Providers for similar work on similar types of Municipality Poles; or include any revenue or contingency-based consultant's fees or expenses of any kind.

(4) A Wireless Provider Collocating on a Municipality Pole is responsible for reimbursing third parties for their actual and reasonable costs of any make-ready work reasonably required by the third party to accommodate the Collocation.

(c) Municipal Utilities Excluded. Nothing in this section shall be construed to affect the authority of a municipal electric utility to deny, limit, restrict, or determine the Rates, Fees, terms, and conditions for the use of or attachment to a Pole owned, or operated and accounted for as an asset of, a municipal electric utility.

(e) Non-Exclusivity; Non-Discrimination. A Person owning, managing, or controlling Municipality Poles in the ROW may not enter into an exclusive arrangement with any Person for the right to attach to such poles. Subject to a Municipality's ability to deny an Application as set forth in this Ordinance, a Municipality shall allow the Collocation of Small Wireless Facilities on Municipality Poles on nondiscriminatory terms and conditions in compliance with this Ordinance.

#### Section 9. Indemnification, Insurance, and Bonds.

(a) Indemnity. With regard to Small Wireless Facilities, Poles, and Support Structures that are subject to this Ordinance, the Wireless Provider shall indemnify and hold the Municipality and its officers and employees harmless against any claims, lawsuits, judgments, costs, liens, losses, expenses, or fees, to the extent that a court of competent jurisdiction finds that the negligence of the Wireless Provider while siting, installing, maintaining, repairing replacing, relocating, permitting, operating, or locating Small Wireless Facilities, Poles, and Support Structures pursuant to this Ordinance caused the harm.

(c) Insurance. The Municipality may require a Wireless Provider to have in effect insurance coverage consistent with this section, so long as the Municipality imposes similar requirements on other ROW users and such requirements are reasonable and nondiscriminatory. The Municipality may require a Wireless Provider to furnish proof of insurance prior to the effective date of a Permit. The Municipality may not require a Wireless Provider to obtain insurance naming the Municipality or its officers and employees as additional insureds.

(c) Bonds. The Municipality may impose bonding requirements for Small Wireless Facilities if the Municipality imposes similar requirements in connection with permits issued for other ROW users. Such bonds may provide for the removal of abandoned or improperly maintained Small Wireless Facilities, including those that the Municipality determines must be removed to protect public health, safety, or welfare; restoration of the ROW; and recoupment of Rates or Fees that have not been paid by a Wireless Provider in over twelve months. Bonding requirements may not exceed two hundred dollars (\$200) per Small Wireless Facility. For Wireless Providers with multiple Small Wireless Facilities within the Municipality, the total bond amount across all facilities may not exceed ten thousand dollars (\$10,000) and that amount may be combined into one bond instrument.

Section 10. Severability.

In the event any title, subtitle, section, subsection, subdivision, paragraph, subparagraph, item, sentence, clause, phrase, or work of this Ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or adjudication shall not affect the remaining portions of the Ordinance which shall remain in full force and effect as if the portion so declared or adjudged invalid or unconstitutional was not originally a part of this Ordinance.

Section 11. Effective Date.

This Ordinance shall take effect (xxx) days after adoption.

All ordinances in conflict with this ordinance are hereby repealed.

This ordinance shall be effective on the date of final reading.

INTRODUCED the 8<sup>TH</sup> day of June 2021.

DONE the \_\_\_\_ day of July 2021.

\_\_\_\_\_  
Mayor Gregory S. Habib

Attest: \_\_\_\_\_  
Kelly J. Lovette, MMC, City Clerk

\_\_\_\_\_  
Mayor Pro Tem Jerry Tekac

\_\_\_\_\_  
Councilmember Debra Green-Fletcher

\_\_\_\_\_  
Councilmember Corey McClary

\_\_\_\_\_  
Councilmember Gayla S.L. McSwain

\_\_\_\_\_  
Councilmember Hannah J. Cox

\_\_\_\_\_  
Councilmember Melissa Enos

Exhibit A

Existing Supplemental Review Districts

1. Underground District – City of Goose Creek Code Title IX, Chapter 92 – (Streets, Sidewalks, and other Public Property)

Exhibit B

Design Manual

\*City of Goose Creek Small Wireless Design Manual

\*\* The Design Manual may be amended from time to time by way of a duly enacted resolution.

**EXHIBIT B**

**SMALL WIRELESS DESIGN MANUAL**





# City of Goose Creek Small Wireless Design Manual

[www.cityofgoosecreek.com](http://www.cityofgoosecreek.com)

JUNE 2021





## 1. BACKGROUND AND PURPOSE

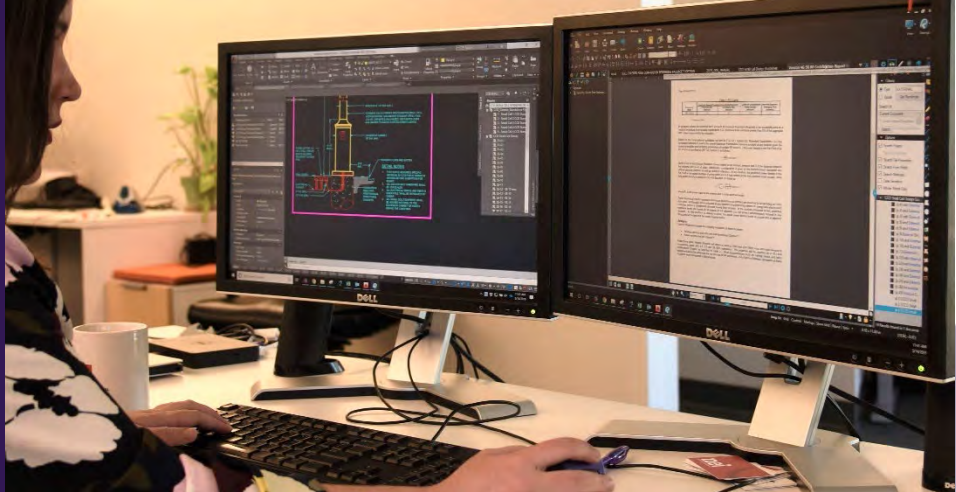
The City of Goose Creek recognizes that Small Wireless Facilities, including facilities commonly referred to as small cell, are critical to delivering wireless access to advanced technology, broadband, and 911 services to residences, businesses, and schools within the City.

To prepare for the current and future needs in effective and efficient deployment, the City of Goose Creek provides guidelines in conjunction with applicable code of ordinances.

It is the intent that flexibility be provided when considering options for installation of small wireless infrastructure. The given examples of types of facilities/poles/attachments are for illustrative purposes only. The City recognizes that certain proprietary and technological advancements and equipment may vary with providers and owners. As such, each request for specific installation shall be considered on a case by case basis as to the final design and placement location.

This manual establishes guidance for installing small wireless equipment and poles in the City of Goose Creek.

# 2



## 2. GENERAL GUIDANCE

General guidance applicable to all small cell installations.

All small cell wireless facility attachments or installations shall be reviewed by City staff. All equipment shall meet the manual requirements and all applicable laws. A cohesive appearance shall be maintained with placement. The Zoning Administrator reserves the right to approve deviations on a case by case basis in concert with the intent of the manual.

### \*Aesthetic Criteria

Consideration shall be given to the aesthetics of neighborhoods and streetscapes adjacent to the proposed site - both existing and planned redevelopment with the following considerations:

✓ Emulates an architectural or landscape feature typical of, or appropriate to, the surrounding area

✓ Respects and, to the extent possible, compliments the style, height, bulk mass, material, and color of existing buildings, structures, vegetation, and uses within the surrounding area



✓ Preserves existing vegetation and scenic view sheds

✓ Respects existing topography, including minimizing the extent to which the proposed structure would be a dominant feature

✓ Conceals conduit internally and streamlines antenna and equipment

✓ Cantenna (top portion) shall include a smooth transition between riser pole and attachment

✓ Matches the color of the antenna and equipment with existing poles, buildings, and background

✓ Uses decorative metal or fiberglass supports consistent with the redevelopment or aesthetics effort of the area

✓ Small cells shall not be located in front of adjacent building doorways, accessible balconies, or primary windows and shall be located in a manner that considers view plane enjoyment of adjacent properties.

✓ Reasonable efforts shall be made to co-locate on existing poles or other structures.

Where particular requirements are technically infeasible, an applicant should work with City staff in order to discuss a mutually acceptable design that adheres to the standards as much as possible, serves the goals of the design manual to the extent possible, and at all times remaining within the bounds of applicable law.



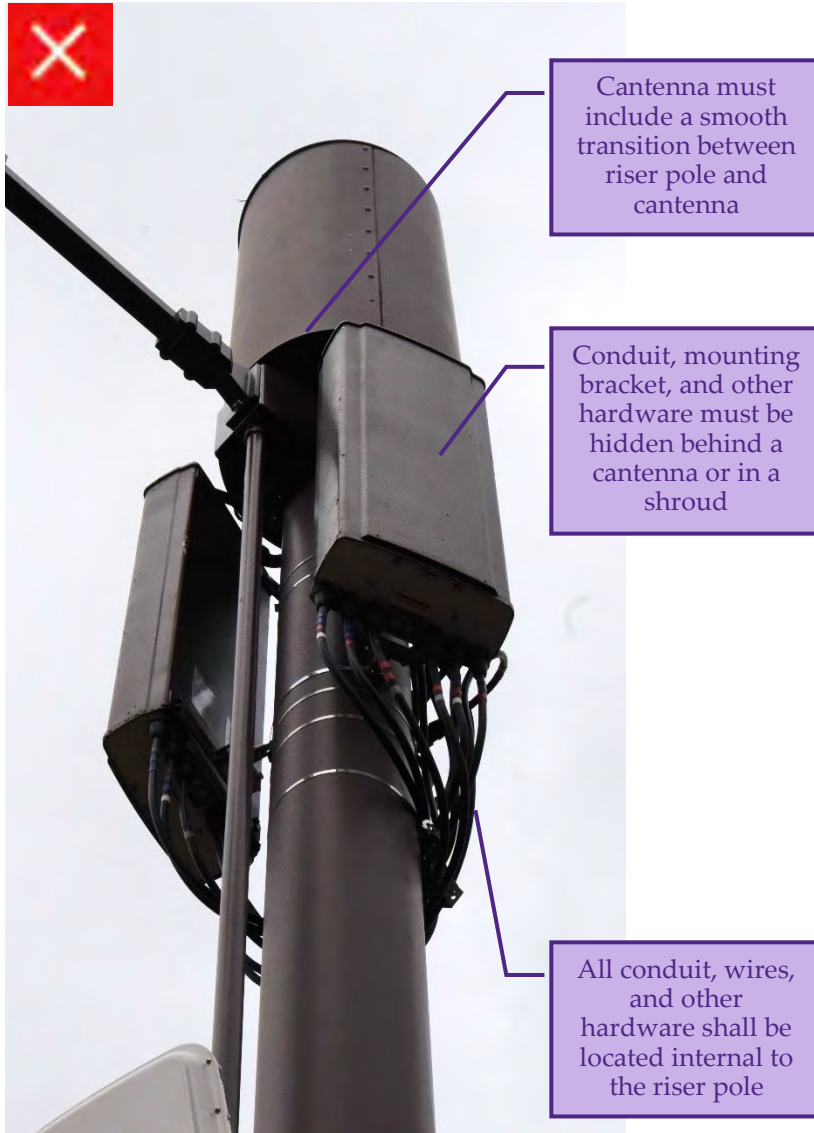
### Unacceptable Installation



### Acceptable Installation



## Unacceptable Installation



## Acceptable Installation



Freestanding small wireless pole components include foundation, equipment cabinet, riser pole, antenna, permitted external shroud, and all hardware and electrical equipment necessary for a complete assembly.

The optional exterior mounted equipment shroud will be allowed when equipment cannot be located internal to the riser pole. To qualify for this, the Applicant must demonstrate that proposed deployment(s) cannot be integrated into the equipment cabinet or the antenna. Existing wooden pole installations shall be evaluated on location and reasonable design capabilities.

The exterior mounted equipment shroud shall match the pole aesthetics. Care should be taken to integrate the mounting attachments into the enclosure design. The enclosure shall be securely strapped to the pole. Wires and cabling shall be hidden from view. Cables and wires shall be located internal to the pole until they reach a cable grommet.

# 3

## SPECIFICATIONS

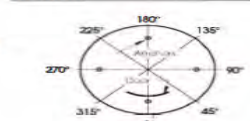
- POST**  
North Yorkshire Series Cast Iron & Steel Post 17" Dia. Base
  - Z NY 2117 CIS BK
- CROSSARM**  
BHC Series Crossarm : Oriented at 0 degrees.
  - BHC49/1 CA BK -GWLF/200 SCA R
- ARM LUMINAIRE**  
Esplanade® Style Luminaire
  - ESU 400MH MA B 4 SS

- INSTALLATION**  
A door shall be provided in the base for anchorage and/or wiring access.
  - 12"Ø bolt circle.

- Dimensions**
  - Overall Street Lamp Height: 22'-8.3"

**Wind Loads**  
Windloading for this post and accessories has been checked for the 90 mph winds where the post will be installed and has passed.

## Anchorage/Orientation Plan



## ESPLANADE® STYLE LUMINAIRE BOSTON HARBOUR NORTH YORKSHIRE 17



### 3. Approved Design

Design Catalogue

It is the intent of the manual to catalogue approved plans to assist in rapid deployment. Providers are encouraged to work with staff to achieve this goal. The City of Goose Creek reserves the right to accept or amend plans based on location, design, and development efforts.



# BERKELEY ELECTRIC COOPERATIVE

Your Touchstone Energy® Partner 

Typical Example of Black Decorative Pole Type in Goose Creek, SC

Catalog Number Z NY 2117 CIS BK BHC48/1 CA BK -GWLF/200  
SCA R ESU 400MH MA B 4 SS

Notes	Type
-------	------

## SPECIFICATIONS

### POST

North Yorkshire Series Cast Iron & Steel Post 17" Dia. Base  
• Z NY 2117 CIS BK

### CROSSARM

BHC Series Crossarm ; Oriented at 0 degrees.  
• BHC48/1 CA BK -GWLF/200 SCA R

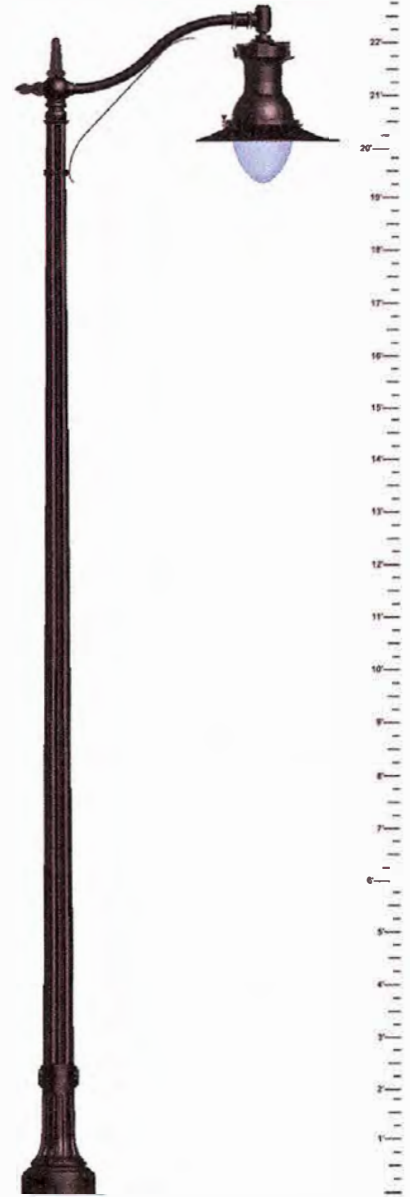
### ARM LUMINAIRE

Esplanade® Style Luminaire  
• ESU 400MH MA B 4 SS

### INSTALLATION

A door shall be provided in the base for anchorage and/or wiring access.  
• 12"Ø bolt circle.

## ESPLANADE® STYLE LUMINAIRE BOSTON HARBOUR NORTH YORKSHIRE 17



### Dimensions

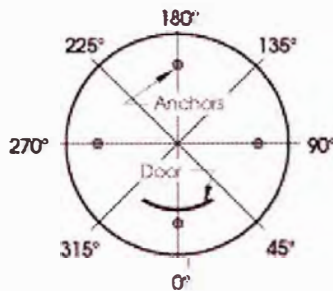
- Overall Street Lamp Height: 22'-8.3"

### Wind Loads

Windloading for this post and accessories has been checked for the 90 mph winds where the post will be installed and has passed.

### Anchorage/Orientation Plan

Street Side



Customer Approval: \_\_\_\_\_

Job Name: \_\_\_\_\_

Client Name: \_\_\_\_\_

sig nature

date

Created By: Mark Lybrand

Date: 05-Jun-09

Catalog #Z NY 2117 CIS BK BHC48/1 CA BK -GWLF/200  
SCA R ESU 400MH MA B 4 SS

Dwg. # HLP-10185





# Request for City Council Agenda Item

**To:** Natalie Zeigler, City Administrator, Mayor and City Council

**From:** Brian Cook, Asst. City Administrator

*Please check one box*

Regular Meeting

Special Meeting

Work Session

*Please check one box, if applicable*

Ordinance

Resolution

Proclamation

Request to  
Purchase

## Ordinance/Resolution Title

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF GOOSE CREEK, SOUTH CAROLINA, BY AMENDING THE TITLE TO CHAPTER 92, STREETS, SIDEWALKS, AND OTHER PUBLIC PROPERTY; AND BY ADDING A NEW SUBSECTION (D), UNDERGROUND DISTRICT - (Introduction and First Reading of a Public Hearing)

## Background Summary

To add a new section to further clarify efforts towards orderly development which generally requires utility services to be placed underground.

## Financial Impact

None

## Impact if denied

Less guidance for orderly development with utilities underground

## Impact if approved

Better guidance for orderly development with utilities underground

Department Head:

City Administrator:

\_\_\_\_\_  
*Signature & Date*

\_\_\_\_\_  
*Signature & Date*

**§ 92.35 RESTORATION OF SURFACE; RELOCATION OF EQUIPMENT;  
UNDERGROUND DISTRICT.**

(A) *Restoration.* In case of any disturbance of pavement, sidewalk, driveway, ornamental vegetation or other surfaces by the utility pursuant to its use of the public streets, public properties and public rights-of-way, the utility shall, at its own cost and expense, and in a manner approved by the City Engineer, replace and restore all paving, sidewalk, driveway or surface of any street or alley disturbed in as good condition as before the work was commenced, in a safe and sound condition, and shall maintain the restoration in an improved condition for a period of five years.

(B) *Relocation and removal.* Utilities using the public streets, public property or public rights-of-way pursuant to this chapter shall, at their own expense and at the direction of the city, relocate and remove their appliances, fixtures or equipment at any time public necessity requires the relocation or removal because of the appliances, fixtures or equipment unreasonably interfering with or restricting the effective or safe use of the public street, public property or public right-of-way.

(C) *Removal or existing facilities.* Any poles, wires, cables, underground conduits, manholes, pipes or other fixtures or equipment erected or located by persons in, along, across, above, over and under the public streets, public properties or public rights-of-way of the city, prior to the effective date of the ordinance from which this chapter is derived, must have been removed within three months after the effective date of the ordinance unless the utility shall have obtained permission for use of the public streets, public properties or public rights-of-way prior thereto in accordance with the terms of this chapter.

(D) *Underground District.* To promote and contribute to the safety of the public, appearance, and to assure orderly development, all facilities for the supply and distribution of electric energy, television cable, gas, telephone, data or similar utility services, for all construction, infrastructure deployment and land development, shall, except as otherwise provided under applicable laws and regulations, be placed underground. The Director of Public works, or designee, in consultation with the Zoning Administrator, reserve the right to consider site specific exceptions based on field conditions.

AN ORDINANCE

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF GOOSE CREEK, SOUTH CAROLINA, BY AMENDING THE TITLE TO CHAPTER 92, STREETS, SIDEWALKS, AND OTHER PUBLIC PROPERTY; AND BY ADDING A NEW SUBSECTION (D), UNDERGROUND DISTRICT

WHEREAS, the Mayor and City Council have recognized the necessity of updating the Zoning Ordinance by adding a new subsection, (D) Underground District, to further clarify efforts towards orderly development which generally requires utility services to be placed underground; and

WHEREAS, the Mayor and City Council believe it is in the best interest of the City to now so act with making these amendments in the Zoning Ordinance in order to provide good planning and zoning practices, and to provide for better guidance for orderly development with utilities underground.

NOW, THEREFORE BE IT ORDAINED and ordered by the Mayor and City Council of the City of Goose Creek, South Carolina, in Council duly assembled, that Section 92.35 of the Zoning Ordinance of the City of Goose Creek, South Carolina, be hereby amended as follows.

Section. 92.35 Restoration of Surface; Relocation of Equipment; Underground District

(D) Underground District. To promote and contribute to the safety of the public, appearance, and to assure orderly development, all facilities for the supply and distribution of electric energy, television cable, gas, telephone, data, or similar utility services, for all construction, infrastructure deployment and land development, shall, except as otherwise provided under applicable laws and regulations, be placed underground. The Director of Public works, or designee, in consultation with the Zoning Administrator, reserve the right to consider site specific exceptions based on field conditions.

All ordinances in conflict with this ordinance are hereby repealed.

This ordinance shall be effective on the date of final reading.

INTRODUCED the 8<sup>th</sup> day of June 2021.

DONE the \_\_\_\_\_ day of July 2021.

\_\_\_\_\_  
Mayor Gregory S. Habib

Attest: \_\_\_\_\_  
Kelly J. Lovette, MMC, City Clerk

\_\_\_\_\_  
Mayor Pro Tem Jerry Tekac

\_\_\_\_\_  
Councilmember Debra Green-Fletcher

\_\_\_\_\_  
Councilmember Corey McClary

\_\_\_\_\_  
Councilmember Gayla S.L. McSwain

\_\_\_\_\_  
Councilmember Hannah J. Cox

\_\_\_\_\_  
Councilmember Melissa Enos



# Request for City Council Agenda Item

**To:** Natalie Zeigler, City Administrator; Mayor and City Council

**From:** Matt Brady

*Please check one box*

Regular Meeting

Special Meeting

Work Session

*Please check one box, if applicable*

Ordinance

Resolution

Proclamation

Request to  
Purchase

## Ordinance/Resolution Title

A RESOLUTION COMMITTING THE CITY OF GOOSE CREEK TO PROVIDING A PROGRAM FEE FOR THE MUNICIPAL ASSOCIATION OF SOUTH CAROLINA RETAIL RECRUITMENT TRAINING PROGRAM (Introduction and Final Reading of a Public Hearing)

## Background Summary

The Municipal Association has partnered with The Retail Coach, a professional retail recruiting firm, to provide low-cost training to member cities. The City will prepare an application to join this inaugural effort, but the matching cost is \$5,000. This resolution authorizes the \$5,000 required to submit the application.

Participation in this program will enhance what we do in terms of retail attraction.

## Financial Impact

The cost of the program to the City will be \$5,000. The training will equip staff with an even more robust understanding of retail recruitment strategies. Successful recruitment of retail businesses will help diversify the City's revenue base, as well as enhancing the quality of life for its citizens.

## Impact if denied

City staff will not participate in the training from MASC/The Retail Coach.

## Impact if approved

City staff will participate in the training from MASC/The Retail Coach, bolstering the retail attraction efforts.

Department Head:

City Administrator:

\_\_\_\_\_  
*Signature & Date*

\_\_\_\_\_  
*Signature & Date*

A RESOLUTION

A RESOLUTION COMMITTING THE CITY OF GOOSE CREEK TO PROVIDING A PROGRAM FEE FOR THE MUNICIPAL ASSOCIATION OF SOUTH CAROLINA RETAIL RECRUITMENT TRAINING PROGRAM IN PARTNERSHIP WITH THE RETAIL COACH IF THE CITY OF GOOSE CREEK IS ACCEPTED INTO THE PROGRAM AND SUPPORTING THE CITY'S APPLICATION THERETO

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GOOSE CREEK, here assembled on this 8<sup>th</sup> day of June 2021, that the Goose Creek City Council hereby supports the City's application to the Municipal Association of South Carolina Retail Recruitment Training Program in partnership with The Retail Coach and commits to provide a program fee of \$5,000 to cover the cost of the program if the City is selected to participate.

BE IT FURTHER RESOLVED that the Council will follow its procurement policy adopted in accordance with SC Code of Laws Section 11-35-5320 when engaging with The Retail Coach as it relates to their participation in the program.

This resolution is made in regard to the submission of an application for the Municipal Association of South Carolina Retail Recruitment Training Program which must be submitted electronically on or before Friday, July 2, 2021.

\_\_\_\_\_  
Mayor Gregory S. Habib

Attest: \_\_\_\_\_  
Kelly J. Lovette, MMC, City Clerk

\_\_\_\_\_  
Mayor Pro Tem Jerry Tekac

\_\_\_\_\_  
Councilmember Debra Green-Fletcher

\_\_\_\_\_  
Councilmember Corey McClary

\_\_\_\_\_  
Councilmember Gayla S.L. McSwain

\_\_\_\_\_  
Councilmember Hannah J. Cox

\_\_\_\_\_  
Councilmember Melissa Enos



# Request for City Council Agenda Item

**To:** Mayor and City Council

**From:** Tyler Howanyk

*Please check one box*

Regular Meeting

Special Meeting

Work Session

*Please check one box, if applicable*

Ordinance

Resolution

Proclamation

Request to  
Purchase

### Ordinance/Resolution Title

EMS Contract with Berkeley County.

### Background Summary

Approval of Contract with Berkeley County regarding EMS.

### Financial Impact

The City receives \$209,230 a year from the County to provide EMS services.

### Impact if denied

There will be no contract or funding from the County.

### Impact if approved

The City will have a valid contract with the County.

Department Head:

City Administrator:

\_\_\_\_\_  
*Signature & Date*

\_\_\_\_\_  
*Signature & Date*

STATE OF SOUTH CAROLINA           )  
   )  
 COUNTY OF BERKELEY                )

AGREEMENT

**THIS AGREEMENT** made and entered into this 8th day of June, 2021, by and between the County of Berkeley, a political entity of the State of South Carolina, hereinafter referred to as the “County”, and the City of Goose Creek, a municipality of the State of South Carolina, hereinafter referred to as the “City”.

1. For and in consideration of the sum of Two Hundred Nine Thousand Two Hundred Thirty (\$209,230.00) Dollars paid by the County to the City, and other valuable consideration as defined herein, the City does hereby agree to provide Emergency Medical Services as follows:
  - a. The City agrees to serve as the primary responder to the following portions of Berkeley County, to-wit: All of the City of Goose Creek.
  - b. The City further agrees to serve as a secondary responder to all areas of Berkeley County not designated in paragraph “a” above. This response will be made upon request by the County and shall be made only in those instances where the County in its sole discretion determines such response is necessary. Likewise, the County agrees to serve as a secondary responder to all areas of the City when such a request is made by the City.
  - c. The City will conduct its Emergency Medical Services under this contract in accordance with existing laws and rules and regulations promulgated by the County as well as State and Federal regulatory agencies.
  - d. The City shall use a fee schedule as established by the County, attached as Exhibit A and incorporated herein by this reference, to determine all charges for services rendered. The County may raise the fee schedule during the term of this agreement and any such changes shall be effective as of the date they are deemed effective. The City shall follow exactly those charges as established. The same fee will apply to all emergency medical services provided within or without the City limits of Goose Creek. Fees collected by the City shall be used by the City to defray direct costs of operating the ambulances.
2. As additional consideration hereunder the County agrees to provide to the City two suitable EMS ambulances for use by the City, one primary ambulance and one spare ambulance. The City EMS ambulances shall be subject to the same replacement schedule as all other County operated EMS ambulances. While the County agrees to provide regularly scheduled maintenance as outlined in paragraph 3, the City agrees to pay for all costs associated with any damage to the ambulances not covered by insurance, including damage resulting from a failure to maintain the ambulances at regularly scheduled intervals. This Agreement creates a bailment only, and the County shall remain the sole owner of the EMS ambulances. Upon termination of this



Agreement, the ambulances shall be transferred to the County in its present condition, reasonable wear and tear excepted.

3. The City shall, at its own expense, provide suitable and adequate garage space, and shall maintain the ambulances in good condition, limited to preventative maintenance, i.e. washing, polishing, gas, oil, and other fluids necessary to maintain the ambulances in good working order. The County will provide all maintenance to include tires, tubes, front end alignment, and any other necessary maintenance to ensure safe and efficient operation of the vehicle.
4. The County shall carry and maintain, at its own expense, insurance covering property damage and personal injury as well as liability to the extent deemed necessary by the County for the operation of the EMS ambulances. The City shall provide its employees and agents performing hereunder with Workers' compensation, malpractice, and/or tort liability insurance in such amount as may be agreed upon by the parties hereto.
5. The County shall provide and maintain, at its own expense, all necessary South Carolina vehicle licenses and license tags for the ambulances.
6. The City agrees to staff at least one EMS ambulance at all times and if a second ambulance is operational at the same time, shall staff the second ambulance while it is operational. The parties agree the staffing required for operation of an EMS ambulance is a minimum of two (2) qualified personnel possessing current licenses issued by the South Carolina Department of Health and Environmental Control designating such personnel as Emergency Services Technicians or Paramedics, with personnel being appropriately licensed for the nature of the call being responded to. The City shall permit only safe, careful, licensed, and authorized drivers to operate the ambulances.
7. The City agrees that it will furnish the ambulances with such medical equipment as required by Department of Health and Environmental Control regulations pertaining to Emergency Medical Services vehicles. Initial furnishing of the ambulances will be performed jointly by the City and County in such amounts and proportions as deemed proper by the Berkeley County Emergency Medical Services Director and the Goose Creek Director of such service.
8. The City agrees to notify the County should its Emergency Medical Service be unable to respond to any request for service. Upon such notification, the County will provide or cause to be provided a secondary response to the City of Goose Creek.
9. The City agrees to notify the County when the City is unable to provide ALS functions on their EMS ambulance.
10. The City agrees to notify the County when the EMS ambulance operated by the City is out of service, or otherwise unavailable to provide mutual aid.
11. The County agrees to allow all emergency services personnel employed by the City to attend training events at dates and times determined by the County; however, execution and approval of all licensing, relicensing, training certification or any other training documentation shall be the responsibility of the City. Additionally, any training on

- protocols that are different from protocols utilized by the County, shall be the responsibility of the City. Further, the County agrees to provide a copy of the video recorded County training sessions to the City for their use in training City employees.
12. The City shall provide both the locations where the ambulance will operate out of and their service territory, including any expansions or reductions in that service territory.
  13. The City shall ensure medical compliance within the industry-accepted standards of care. Any violation, reported or investigated by DHEC, must be reported to the County.
  14. The City agrees to provide a copy of any contract they have with a medical control physician and the County agrees to provide the City with a copy of any contract they have with a medical control physician.
  15. The City and County agree to exchange contact information for their EMS Director, EMS Assistant Director, Training Officer, Data Manager, and Infection Control Officer.
  16. The City agrees to provide all insurance policies related to coverage for their EMS service.
  17. The City agrees to provide a copy of the EMS Non-Dispensing Drug Permit from the S.C. Board of Pharmacy.
  18. The City agrees to provide a copy of the agency's current Drug Enforcement Agency license, both state and federal, when applicable.
  19. The City agrees to provide a copy of the agency's Clinical Laboratory Improvement Act (CLIA) waiver from the Centers for Medicare & Medicaid Services (CMS) if the agency is providing field laboratory testing.
  20. Neither this Agreement nor any interest created hereby may be assigned by the City without the written consent of the County.
  21. This Agreement shall terminate June 30, 2022, or upon ninety (90) days written notice by either party hereto. Provided the City and County agree, this Agreement may be extended for two (2) additional one (1) year terms.
  22. The City accepts the EMS ambulance following an inspection to ensure compliance with Paragraph 7 and determine to its satisfaction the condition of the vehicle. No warranty, guarantee, or representation is made by the County as to the condition of said vehicle.
  23. The City operating hereunder is hereby deemed to be an Independent Contractor and the County assumes no liability or responsibility for its acts and doings, or the acts and doings of its employees or agent during the rendering of emergency care, transportation, or any other phase of activities to be conducted under this contract.
  24. The County shall pay to the City the sum of Fifty-Two Thousand Three Hundred Seven (\$52,307.50) Dollars and Fifty Cents on each of the following dates:

July 1, 2021; October 1, 2021; January 1, 2022; and April 1, 2022.

Witnesses:

\_\_\_\_\_  
\_\_\_\_\_

City of Goose Creek

By: \_\_\_\_\_

Its: \_\_\_\_\_

Witnesses:

\_\_\_\_\_  
\_\_\_\_\_

Berkeley County Government

By: \_\_\_\_\_

Its: \_\_\_\_\_



# Request for City Council Agenda Item

**To:** City Administrator, Mayor and City Council

**From:** Tyler Howanyk, Chief Financial Officer

*Please check one box*

Regular Meeting

Special Meeting

Work Session

*Please check one box, if applicable*

Ordinance

Resolution

Proclamation

Request to  
Purchase

## Ordinance/Resolution Title

Request to Hire Contractor for Landscaped Medians.

## Background Summary

Median Beautification Project on St. James Ave.

## Financial Impact

Approval of the low bid contractor, AOS Specialty Contractors in the amount of \$611,673.

This is to be paid out of the Hospitality Tax Fund.

The City budgeted - \$481,108 and the low bid of \$611,673 puts the project over budget by \$130,565.

There is currently ample cash reserves to pay for the overage.

The City is working with LandPlan Group South to identify savings in the selection of plants and anticipates a lower project cost.

## Impact if denied

The City will not have landscaped medians on St. James Ave.

## Impact if approved

The City will have landscaped medians on St. James Ave.

Department Head:

City Administrator:

\_\_\_\_\_  
*Signature & Date*

\_\_\_\_\_  
*Signature & Date*



THE CITY OF  
**GOOSE CREEK**  
BERKELEY CO. EST. 1961 SD. CAROLINA

**Gregory S. Habib**  
MAYOR

**Debra Green-Fletcher**  
**Corey D. McClary**  
**Jerry Tekac**  
**Gayla S.L. McSwain**  
**Hannah J. Cox**  
**Melissa Enos**

CITY COUNCIL

**Natalie Zeigler**

519 N. GOOSE CREEK BOULEVARD  
P.O DRAWER 1768  
GOOSE CREEK, SC 29445-1768  
TEL (843) 797-6220  
FAX (843) 863-5208

**MEMORANDUM**

**TO:** Natalie Zeigler, City Administrator  
**FROM:** Sherry Bodden, Purchasing Coordinator  
**DATE:** May 28, 2021  
**SUBJECT:** Request to Hire AOS Specialty Contractors – Median Beautification St. James Ave.

An Invitation for Bids was issued for the Median Beautification St. James project. We received four bids from the following companies:

AOS Specialty Contractors	\$611,673.00	
Pleasant Places	\$592,912.65	DQ
Smoak Irrigation	\$696,242.00	
Yellowstone	\$655,556.40	DQ

The LandPlan Group South disqualified two of the bidders due to non-conformance with the project specifications. Additionally, the LandPlan Group South contacted the South Carolina LLR, and the BBB and the low bidder has no know issues with either agency.

In the attached memo, The LandPlan Group South recommends award to the lowest, responsive bidder, AOS Specialty Contractors, Inc. for the bid amount of \$611,673.00.

Respectfully,

*Sherry L Bodden*

Sherry Bodden  
Purchasing & Granting Writing Coordinator  
City of Goose Creek



# MEMO

To: Ms. Natalie Zeigler,  
City Manager  
City of Goose Creek

Date: 5/14/2021

Re: Recommendation of Award  
Goose Creek Median Beautification  
Goose Creek, SC

  
\_\_\_\_\_  
From: Patrick T. Livingston, RLA

On Thursday, May 13, 2021, four (4) bids were received for the above referenced project. A tabulation of these bids is attached for your information and review. We have reviewed the low bidder's references and are satisfied with the responses. We have contacted LLR, and the BBB and the low bidder has no known issues with either agency. Please note that two (2) of the four (4) bids were disqualified due to non-conformance with the project specifications.

The LandPlan Group South recommends award to the lowest, responsive bidder, AOS Specialty Contractors, Inc. for the bid amount of \$611,673.00 (*if within the Town of Goose Creek's budget*).

Please contact me if you have questions or if you need additional information.

I, PATRICK T. LIVINGSTON, CERTIFY THAT THIS IS A TRUE AND CORRECT TABULATION OF BIDS RECEIVED ON MAY 14, 2021  
*P.T.L.*

**BID TABULATION  
 GOOSE CREEK MEDIAN BEAUTIFICATION  
 GOOSE CREEK, SC**

SC LANDSCAPE ARCHITECT #1001				Bidder #1		Bidder #2		Bidder #3		Bidder #4	
				AOS Specialty Contractors		Pleasant Places		Smoak Irrigation		Yellowstone	
ITEM	DESCRIPTION	QTY.	UNIT	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	Mobilization	1	LS	\$40,125.00	\$40,125.00	\$15,000.00	\$15,000.00	\$59,000.00	\$59,000.00	\$15,309.40	\$15,309.40
2	Traffic Control	1	LS	\$5,725.00	\$5,725.00	\$0.00	\$0.00 *	\$58,000.00	\$58,000.00	\$150,000.00	\$150,000.00
3	Brick Paving	5200	LF	\$39.00	\$202,800.00	\$61.23	\$318,396.00	\$47.00	\$244,400.00	\$54.28	\$282,256.00
4	Sign Poles										
	a) Banner Poles w/Foundation	11	EA	\$2,680.00	\$29,480.00	\$2,700.00	\$29,700.00	\$4,100.00	\$45,100.00	\$7,500.00	\$82,500.00
5	Planting										
	a) Flower Carpet Ground Rose	86	EA	\$30.00	\$2,580.00	\$27.00	\$2,322.00	\$60.00	\$5,160.00	\$35.00	\$3,010.00
	b) Double Knockout Rose	109	EA	\$30.00	\$3,270.00	\$26.00	\$2,834.00	\$60.00	\$6,540.00	\$35.00	\$3,815.00
	c) Mexican Feather Grass	114	EA	\$30.00	\$3,420.00	\$12.00	\$1,368.00	\$65.00	\$7,410.00	\$24.00	\$2,736.00
	d) Avalanche Feather Reed Grass	570	EA	\$33.00	\$18,810.00	\$27.00	\$15,390.00	\$65.00	\$37,050.00	\$24.00	\$13,680.00
	e) Munstead Lavender	3496	EA	\$42.00	\$146,832.00	\$12.00	\$41,952.00	\$22.00	\$76,912.00	\$7.50	\$26,220.00 *
	f) Compact Plumosa Juniper	441	EA	\$31.00	\$13,671.00	\$18.00	\$7,938.00	\$60.00	\$26,460.00	\$20.00	\$8,820.00
	g) Purple Pixie Loropetalum	1170	EA	\$30.00	\$35,100.00	\$27.00	\$31,590.00	\$65.00	\$76,050.00	\$16.00	\$18,720.00 *
	h) Pink Muhly Grass	120	EA	\$24.00	\$2,880.00	\$18.00	\$2,160.00	\$58.00	\$6,960.00	\$37.00	\$4,440.00
	i) Annuals	1300	EA	\$11.85	\$15,405.00	\$6.00	\$7,800.00	\$6.00	\$7,800.00	\$9.00	\$11,700.00
	j) Mulch (Pine Straw)	1	EA	\$12,775.00	\$12,775.00	\$20,638.65	\$20,638.65	\$7,800.00	\$7,800.00	\$5,600.00	\$5,600.00
	k) Planting Mix	1	EA	\$22,500.00	\$22,500.00	\$76,824.00	\$76,824.00	\$5,000.00	\$5,000.00	\$1,750.00	\$1,750.00 *
6	Irrigation	1	LS	\$56,300.00	\$56,300.00	\$19,000.00	\$19,000.00	\$27,000.00	\$27,000.00	\$26,000.00	\$26,000.00
<b>TOTAL, BASE BID</b>					<b>\$611,673.00</b>	<b>X</b>	<b>\$592,912.65</b>		<b>\$696,642.00</b>	<b>X</b>	<b>\$656,556.40</b>

\* Reflects calculation difference by contractor (unit price prevails)

\* Reflects alteration to official bid form or form incomplete as per specifications.

X Pleasant Places and Yellowstone were disqualified due to non-conformance with project specifications.

## Goose Creek Median Beautification

Goose Creek, SC

Bid Opening

May 13, 2021 - 2:00 pm

Name	Company	Present	Phone number	Email address
Natalie Zeigler	City of Goose Creek		843-797-6220	nzeigler@cityofgoosecreek.com
Sherry Bodden	City of Goose Creek	✓	843-797-6220	sbodden@cityofgoosecreek.com
Chuck Denson	City of Goose Creek	✓	843-824-2200	cdenson@cityofgoosecreek.com
David Fennell	City of Goose Creek		843-596-7473	dfennell@cityofgoosecreek.com
Rick McMackin	The LandPlan Group South		803-256-0562	rmcmackin@landplansouth.com
Patrick Livingston	The LandPlan Group South	✓	803-256-0562	plivingston@landplansouth.com
Vicky Rogers	AOS	✓	864-270-1329	vicky@aos.org
Marty Fosberry	Pleasant Places	✓	843-847-8650	mjf@pleasantplaces.com
Chris Smoak	Smoak Irrigation		803-491-6100	Smoak Irrigation @ftc-irrigation
Ashleigh Ewing	Yellowstone	✓	864-380-0234	aeewing@yellowstonelandscape.com
<del>Chris Smoak Jr</del>				





# Request for City Council Agenda Item

**To:** City Administrator, Mayor and City Council

**From:** Tyler Howanyk, Chief Financial Officer

*Please check one box*

Regular Meeting

Special Meeting

Work Session

*Please check one box, if applicable*

Ordinance

Resolution

Proclamation

Request to  
Purchase

## Ordinance/Resolution Title

Code Enforcement Officer Update

## Background Summary

The City of Goose Creek's ordinance section 10.12 authorizes for the issuance of uniform ordinance summons, and states: "The uniform ordinance summons may be issued by any city law enforcement officer or any other city employees as designated by the City Council as code enforcement officers."

## Financial Impact

No financial impact.

## Impact if denied

The City will not have an updated listing of Code Enforcement Officers.

## Impact if approved

The City will have an updated listing of Code Enforcement Officers.

Department Head:

City Administrator:

\_\_\_\_\_  
*Signature & Date*

\_\_\_\_\_  
*Signature & Date*



## **MEMORANDUM**

TO: Natalie Zeigler, City Administrator  
FROM: Tyler Howanyk, Chief Financial Officer  
DATE: June 1, 2021  
SUBJECT: Code Enforcement Officers

### SITUATION:

The City of Goose Creek's ordinance section 10.12 authorizes for the issuance of uniform ordinance summons, and states: "The uniform ordinance summons may be issued by any city law enforcement officer or any other city employees as designated by the City Council as code enforcement officers."

### RECOMMENDATION:

Designate and commission employees as code enforcement officers for the City of Goose Creek. Commissions are subject to renewal or rescission every year, and officers are commissioned as needed or when necessary. Additionally, commissions are only valid so long as the employment term is active and will expire upon separation of employment.

### ACTION REQUESTED OF COUNCIL:

Commission the attached list of City employees as code enforcement officers of the City of Goose Creek

Respectfully,

Tyler Howanyk, CPA  
Chief Financial Officer  
City of Goose Creek

**Listing of Code Enforcement Officers for the City of Goose Creek**

<b><u>Employee Name</u></b>	<b><u>Department</u></b>
Brian Cook	Administration
Thurman Pellum Jr.	Building Services
Marc Todd	Building Services
Ginger Yon	Building Services
Samual Stratford	Building Services
Tyler Howanyk	Finance
Jennifer Althoff	Finance
Mark Brodeur	Planning and Zoning
Brenda Moneer	Planning and Zoning
Charles Denson	Public Works
Daniel Vitello	Public Works
Christopher Torres	Public Works



# Request for City Council Agenda Item

**To:** City Administrator, Mayor and Council.

**From:** Tyler Howanyk, Chief Financial Officer

*Please check one box*

Regular Meeting

Special Meeting

Work Session

*Please check one box, if applicable*

Ordinance

Resolution

Proclamation

Request to  
Purchase

## Ordinance/Resolution Title

Request to Hire Trident Construction - Eubanks / Casey Park

## Background Summary

The City received nine (9) sealed responses for the design/build of Eubanks Parks. Our selection committee reviewed all nine (9) responses and narrowed the selection down to three (3) highly qualified companies to perform interviews. Trident Construction was ranked the highest.

## Financial Impact

The City will enter into a design build contract with Trident Construction for Eubanks Park / Casey Center.

## Impact if denied

The City will not enter into a design build contract with Trident Construction for Eubanks Park / Casey Center.

## Impact if approved

The City will enter into a design build contract with Trident Construction for Eubanks Park / Casey Center.

Department Head:

City Administrator:

\_\_\_\_\_  
*Signature & Date*

\_\_\_\_\_  
*Signature & Date*



THE CITY OF  
**GOOSE CREEK**  
BERKELEY CO. EST. 1961 SO. CAROLINA

**Gregory S. Habib**  
MAYOR

**Debra Green-Fletcher**  
**Corey D. McClary**  
**Jerry Tekac**  
**Gayla S.L. McSwain**  
**Hannah J. Cox**  
**Melissa Enos**

CITY COUNCIL

**Natalie Zeigler**  
CITY ADMINISTRATOR

519 N. GOOSE CREEK BOULEVARD  
P.O. DRAWER 1768  
GOOSE CREEK, SC 29445-1768  
TEL (843) 797-6220  
FAX (843) 863-5208

## MEMORANDUM

**To:** Natalie Zeigler, City Administrator  
**From:** Sherry Bodden, Purchasing Coordinator  
**Date:** June 1, 2021  
**Subject:** Request to Hire Trident Construction – Eubanks Park

Request for Qualifications from qualified contractors to complete the design/build of Eubanks Parks was posted on February 26, 2021. Sealed bids were received and opened on April 16, 2021.

The City received nine sealed responses. Our selection committee reviewed all nine responses and narrowed the selection down to 3 highly qualified companies as follows:

Hill Construction  
Mashburn Construction Company, Inc.  
Trident Construction

Our committee then conducted an interview with each of the above companies and selected Trident Construction to complete the design/build of Eubanks Park.

Your favorable consideration of this request will be appreciated.

Respectfully submitted,

Sherry L Bodden  
Purchasing & Grant Writing Coordinator  
City of Goose Creek



# Request for City Council Agenda Item

**To:** City Administrator, Mayor and City Council

**From:** Kelly J. Lovette, City Clerk

*Please check one box*

Regular Meeting

Special Meeting

Work Session

*Please check one box, if applicable*

Ordinance

Resolution

Proclamation

Request to  
Purchase

## Ordinance/Resolution Title

May Department Reports

## Background Summary

## Financial Impact

## Impact if denied

## Impact if approved

Department Head:

City Administrator:

\_\_\_\_\_  
*Signature & Date*

\_\_\_\_\_  
*Signature & Date*

**City of Goose Creek Administration Department**  
**Monthly Report**  
**May 2021**

**Business Licenses Issued**

License Type	Issued	Fee	Gross Sales Reported	YTD Issued	YTD Fees	YTD Gross Sales Reported
Inside City	129	\$ 268,677	\$ 166,101,065	967	\$ 1,730,744	\$ 1,265,446,115
Outside City	200	183,631	32,344,559	1,213	1,165,029	209,266,693
NWS Contracts	3	85,576	57,150,286	14	107,834	62,132,729
MASC Ins & Telecom	55	104,946	5,247,293	170	169,677	11,585,963
Prior Yrs.	17	6,778	2,291,743	53	24,530	6,609,986
<b>Totals</b>	<b>404</b>	<b>\$ 649,608</b>	<b>\$ 263,134,946</b>	<b>2,417</b>	<b>\$ 3,197,814</b>	<b>\$ 1,555,041,486</b>

**Licenses Issued to New Commercial Businesses Inside the City**

Name	Address	Type
Park Circle Creamery	2507 N Main Street Ste F	2(ice cream shop)
Take 5 Oil Change	217 St James Avenue	2(automotive repair)
Your Counseling Services LLC	100 A Central Avenue Ste 270	5(counseling)

**Building Permits Issued**

	Issued	Fees	Construction Costs	YTD Issued	YTD Fees	YTD Construction Costs
Express	18	\$ 25,958	\$ 4,224,437	162	\$ 218,034	\$ 37,904,758
Building	67	17,933	4,424,458	299	85,488	33,487,855
Misc Permits	58	4,551	1,575,232	251	19,007	11,008,791
Plan Review	63	16,566	-	429	117,419	-
<b>Totals</b>	<b>206</b>	<b>\$ 65,008</b>	<b>\$ 10,224,127</b>	<b>1,141</b>	<b>\$ 439,948</b>	<b>\$ 82,401,404</b>

**Commercial Construction in Progress**

Contractor Name	Address	Project
Paric Corporation	2 Spring Hall Drive	Business Office Addition
Hawk Construction of Charleston	111 Spring Hall Drive	Business Office Addition
Trident Construction	300 Callen Blvd	Oncology Addition
Hill Construction Services of Chasn Inc.	2507 & 2509 N Main Street	Shopping Plaza
Amerson Construction Co. Inc.	116 Spring Hall Drive	Office Building
Horizon Construction	516 St James Avenue	Addition
Morgan Construction	205 St. James Avenue	Grocery Store

**City of Goose Creek Administration Department**  
**Monthly Report**  
**May 2021**

**Single Family Housing Starts (By Sub-Division)**

	<u>Current</u>	<u>YTD</u>
Montague Point	0	0
Lakeview Commons	0	0
Liberty Village (Brickhope)	0	0
Mackey Farms	3	25
Marrington Villas (Cobblestone)	0	0
Medway Landing	4	23
Miscellaneous	4	22
Shell Pointe	0	39
Sophia Landing	0	1
Carnes Crossroads	7	51
TOTALS	<u>18</u>	<u>161</u>

**Hospitality Fees Collected**

	<u>Current Month</u>	<u>YTD</u>	<u>Fund Balance</u>
Total Fees Collected	\$ 210,167	\$ 797,548	\$ 228,592

**Berkeley County Water & Sanitation Payments Collected at City Hall**

	<u>Current Month</u>	<u>YTD</u>
Number of Payments Collected	1,554	7,886
Total Receipts Collected	\$ 84,724	\$ 445,269



**MUNICIPAL COURT MONTHLY REPORT**  
**Report For May 1st, 2021 to May 31st, 2021**

**Cases Filed**

Criminal	105	
Traffic	670	
City Ordinance	8	
Parking	1	
<b>Total Filed Violations</b>	<b>784</b>	

**Bench Trials Scheduled**

Criminal	50	
Traffic	852	
City Ordinance	8	
Parking	1	
<b>Total Scheduled</b>	<b>911</b>	

**Case Disposition**

Guilty	510	
Not Guilty	3	
Continued	280	
Dismissed for Plea Agreement (Ticket Re-Write)	83	
Dismissed by Judge	0	
Dismissed for Deceased	1	
Dismissed for Compliance	274	
Dismissed by Officer	26	
Dismissed - Lack of Prosecution	44	
Entered into the PTI Program	9	
Voided	3	
Nolle Pros	1	
Transferred to Youth Court	0	
Transferred to Magistrate	0	
Transferred to General Sessions	32	
<b>Disposition Totals</b>	<b>1266</b>	

**Fines, Fees and Assessments Collected**

Fines Retained by the City	\$32,189.60	
Fees and Assessments Forwarded to the State	\$47,869.94	
Victim's Assistance Fund	\$5,052.50	
<b>Total Fines, Fees, and Assessments Paid</b>	<b>\$85,112.04</b>	

**Bench Warrants**

Issued	12	
Cleared	6	
<b>Change in Total Warrants</b>	<b>6</b>	

**Jury Trials**

May		(Previous Month)	
Requested	10	Requested	4
Scheduled	17	Scheduled	6
Continued	1	Continued	2
Disposed	11	Disposed	18
Pending Total	49	Previous Pending Total	50

**CREEK COMPASS MONTHLY REPORT  
MAY 2021**

**Planning and Zoning**

ARB	<b>Signage:</b> Truist	114 St. James Ave, Suite 140A
ARB	<b>Signage:</b> Circle K	100 Stephanie Drive
PLANNING COMM	<b>Map Amendment:</b> TMS# 234-08-00-084, Sass Drive & Old Moncks Corner Rd Rezone Request (GC) to (R1)	NA
PLANNING COMM	<b>Street Name:</b> Shell Point Phas II & III: Clear Tide Drive, Coral Sunset Way, Sunray Lane	NA
ZBA	<b>Conditional Use Permit Request:</b> Carolina Ave Apartments	NA
ZBA	<b>Conditional Use Permit Request:</b> Foxborogh Hounds Run II Townh	0 Brush Blvd

**Building Inspections**

	<b>MAY</b>	<b>YTD</b>
Slab Plumbing	34	222
Slab/Mono Slab/Footings	40	246
Sheathing	28	250
Mech/Elect/Plumb/Gas Roughs/Fin:	281	1282
Framing	67	312
Insulation	35	192
Electrical Final/Release	42	232
Gas Final/Release	28	156
Building Final/CO	41	178
Courtesy/Misc (Sunroom, Windows,	51	169
Building Safety	4	46
<b>Totals</b>	<b>651</b>	<b>3285</b>

**Commercial Open and Recently Closed Projects**

UC: Under Construction

CO: Completed

101 Button Hall Have	Creek City Grill & Brewery	UC
300 Callen Blvd, Suite 240	Urology	UC
121 Carolina Ave	CR Hipp	CO
900 Conway Circle	Azure Apartments	UC/CO
Grey Goose Drive	Devon Pointe II Townhome Rentals	UC
114 Etiwan Drive	Shops at Etiwan	UC

100 Etling Drive	Playground	UC
104 Gainsborough Drive, BLDG 190	Fire Demo and Rebuild	UC
441 Liberty Hall Road	BC Sewer Pump Station	UC
2507 North Main Street	Retail Shell Building	UC
2507 North Main Street, Suite F	Ice Cream Shop	UC
2509 North Main Street, Suite G	El Jalapeno	UC
2520 North Main Street	Reful Gas Station & Car Wash	UC
207 McBride Lane	Lowcounty Endoscopy	CO
117 Plantation North Blvd, Suite A	Sky Nails	CO
117 Plantation North Blvd, Suite B	Happy Crab Restaurant	UC
119 Plantation North Blvd, Suite C	Outlaw Barber	CO
121 Plantation North Blvd	Blue Tequila Restaurant	UC
408 Red Bank Road	Brazilian Restaurant	UC
541 Red Bank Road	Calvary Church of the Nazarene	UC
217 St. James Ave	Take 5 Oil Change	CO
516 St. James Ave	Chick Fil A	CO
2111 Red Bank Road	Water Treatment Plant	UC
111 Spring Hall Road	Office Building	UC
116 Spring Hall Road	Office Building	UC
199 Sweet Cherry Lane	Amenity Center	UC

**Code Enforcement**

	<b>MAY</b>	<b>YTD</b>
Code Inspections (Complaints)	13	38
Code Inspections	520	2009
Code Violations Corrected	127	688
Code Violations Pending	48	109
Inoperable/Unlicensed Vehicles Cite	21	132
Inoperable/Unlicensed Vehicle Clea	16	139
Summons Issued	4	12
Certified Letters	17	73
Signs	64	87
Phone Calls	69	190
<b>Totals</b>	<b>899</b>	<b>3477</b>

## GIS

### **Short Term Projects:**

- Developed web mapping application for collecting information on all proposed non-compliant signs in City
- Assisted HR by developing a map application that enhances analysis of employee residency in relation to GC City Limits
- Finalized Mapflex software updates for Dispatch to be installed week of June 1
- Provided map and parcel information to GCFD for planning potential Fire Training Center location
- Integrated GIS information into Emergency Operations Plan, updated Flood Zoning Maps, and began planning for creating "shell" applications to assist during emergency events

### **Long Term (Ongoing):**

- Managed/Processed data for Water Shutoff, 454 customer accounts without incident
- Development of GIS Standard Operating Procedures
- Continuing initial design phase for GIS application overhaul (Summer 2021)
- Beginning website design for public-facing GIS webpage

**City of Goose Creek**  
**Maintenance Division Monthly Report**  
**May 2021**

DESCRIPTION	MAY	Y.T.D
<b>Vehicle Usage</b>		
Vehicle Mileage.....	3,329	17,434
Fuel Consumption (Diesel).....	0	0
Fuel Consumption (Unleaded).....	411	1,993
<b>Ground Maintenance</b>		
Drainage/Maintenance Activities (Approximate Hours).....	544	3,032
Solid Waste Collection (Hours).....	0	136
Drainage Maintenance (Hours).....	0	48
Building, Grounds, Special Projects (Hours).....	544	2,848
Road and Bike Trail Maintenance (Hours).....	0	0
<b>Road Maintenance</b>		
Road Maintenance Request (Total).....	6	18
SCDOT (new request).....	6	14
County (new request).....	0	4
Road Maintenance Requests Corrected.....	0	14
Street Signs Replaced/Erected/Repaired.....	15	48
<b>Ditch Maintenance</b>		
Ditch Maintenance Request.....	0	0
SCDOT.....	12	12
County.....	0	0
Ditch Maintenance Corrected.....	3	3

**City of Goose Creek**  
**Sanitation and Code Enforcement Divisions Monthly Report**  
**May 2021**

DESCRIPTION	MAY	Y.T.D
<b>Sanitation:</b>		
<b>Vehicle Usage:</b>		
Vehicle Mileage.....	6,003	37,018
Fuel Consumption (Diesel).....	3,603	12,689
<b>Garbage Removal:</b>		
Household Garbage (Tons).....	1,062	5,624
Yard Debris (Tons).....	348	1,540
Construction Debris (Tons).....	119	612
Side Door Collections.....	0	46
Dead Animal Removed From Streets.....	8	44
<b>Code Enforcement:</b>		
<b>Vehicle Usage:</b>		
Vehicle Mileage.....	1,542	5,343
Fuel Consumption (Unleaded).....	156	526
<b>Inspection/Violations:</b>		
Code Inspections (Complaints) .....	13	38
Code Inspections.....	520	2,009
Code Violations Corrected .....	127	688
Code Violations Pending.....	48	N/A
Inoperable/Unlicensed Vehicles Cited.....	21	132
Inoperable/Unlicensed Vehicles Cleared.....	16	139
Summons Issued.....	4	12

**City of Goose Creek  
Water Division Monthly Report  
May 2021**

DESCRIPTION	MAY	Y.T.D
<b>Water Usage:</b>		
Total Consumption (M.G.).....	101.79	398.8
Max Daily Flow (M.G.D.).....	4.21	4.21
Min Daily Flow (M.G.D.).....	2.35	1.29
Daily Average (M.G.D.).....	3.18	2.62
<b>Account Services:</b>		
New Customers.....	25	249
Close Outs.....	39	178
Adjustments:.....	10	59
Account Arrangements.....	20	132
Clerical Errors.....	13	115
Temporary Services.....	4	23
Turn-Offs...(Sewer).....	185	670
Turn-Offs... (Non-Payment, Bad Checks, No Deposit).....	327	1172
<b>Maintenance Services:</b>		
Repair Broken Water Mains.....	0	5
Investigate Service Leaks.....	23	162
Repair Service Leaks.....	9	55
Locate Lines .....	193	1034
Change Meters.....	54	338
Service Line Replacement .....	0	0
Meter Box Maintenance and Repair.....	8	32
Valve Replacement .....	0	1
Fire Hydrant Replacement/Installs/Repairs.....	0	9
Install Taps.....	39	153
Site Restorations .....	0	11
<b>Vehicle Usage:</b>		
Vehicle Mileage.....	8,419	42,588
Fuel Consumption (Gallons).....	921	4,443

**City of Goose Creek Fire Department  
Monthly Report  
May 2021**

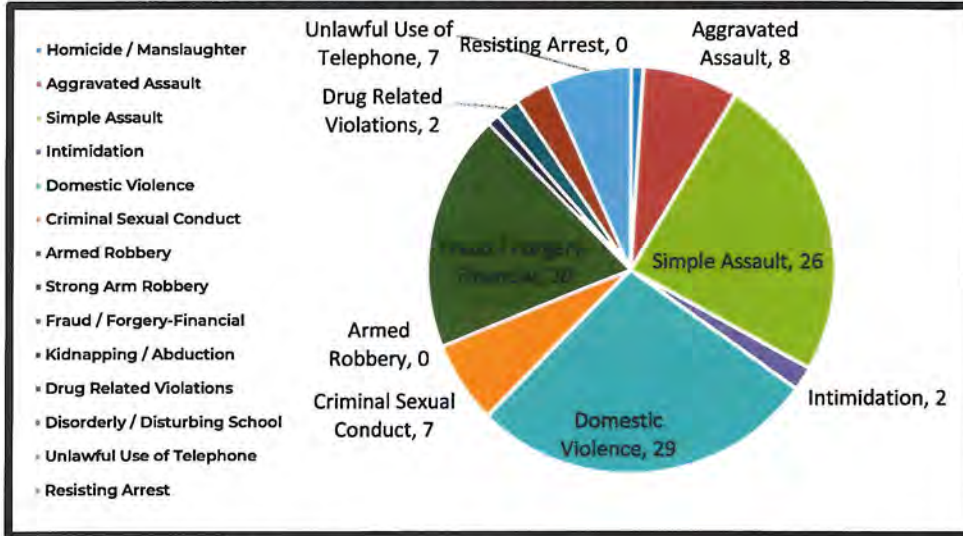
	TOTAL	YTD
<b>Fire</b>		
FIRST RESPONDER	268	1035
HAZMAT	4	26
CANCELLED ENROUTE	14	70
FALSE ALARM	23	138
SERVICE CALL	32	98
FIRE	12	38
SPECIAL INCIDENT	1	7
<b>Total Fire Calls</b>	<b>354</b>	<b>1412</b>
<b>EMS</b>		
Patients Seen	283	972
Patients Transported	216	795
No Transports	26	136
Cancel/False	10	101
Assist	4	8
Standby		1
<b>TOTAL EMS CALLS</b>	<b>283</b>	<b>2013</b>
<b>Average Response Time</b>	<b>12:23</b>	
<b>Man Hours</b>	<b>605</b>	
<b>TRAINING HOURS - Daily and Specialized</b>	<b>540.75</b>	<b>3167.5</b>



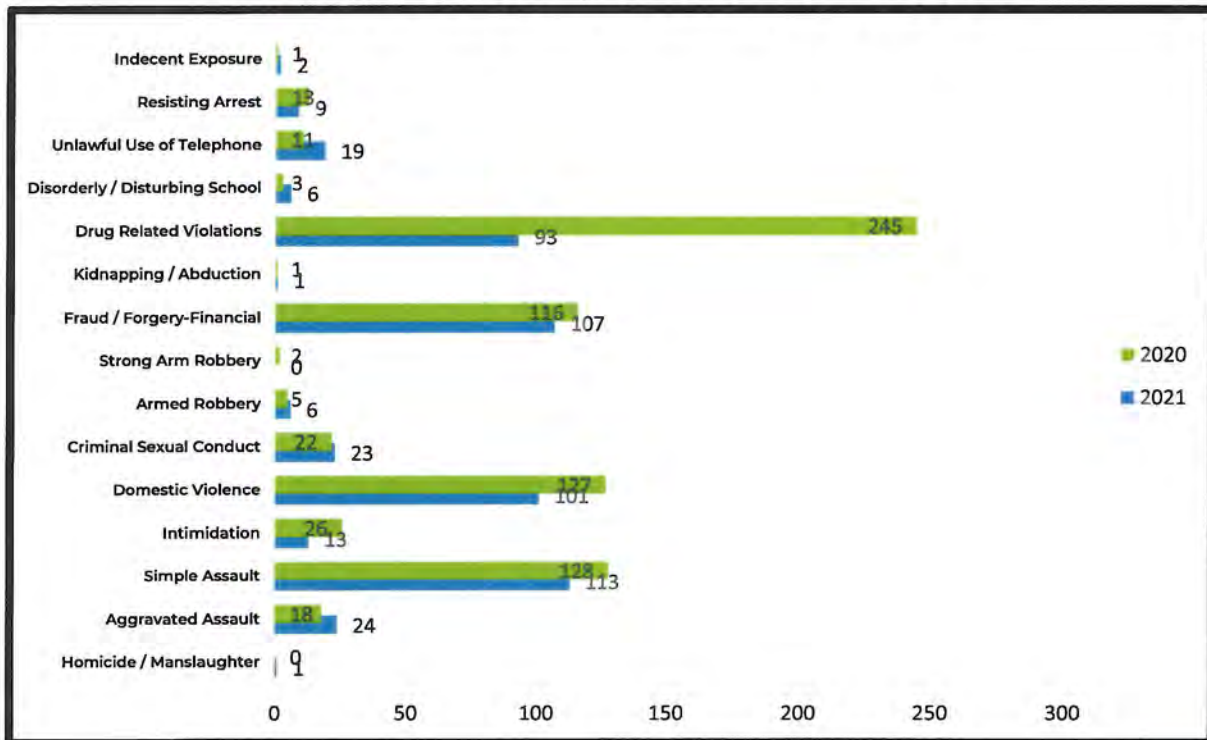
**Goose Creek Police Department  
Monthly Report                      May, 2021**

**Agency Offenses / Incidents Investigated**

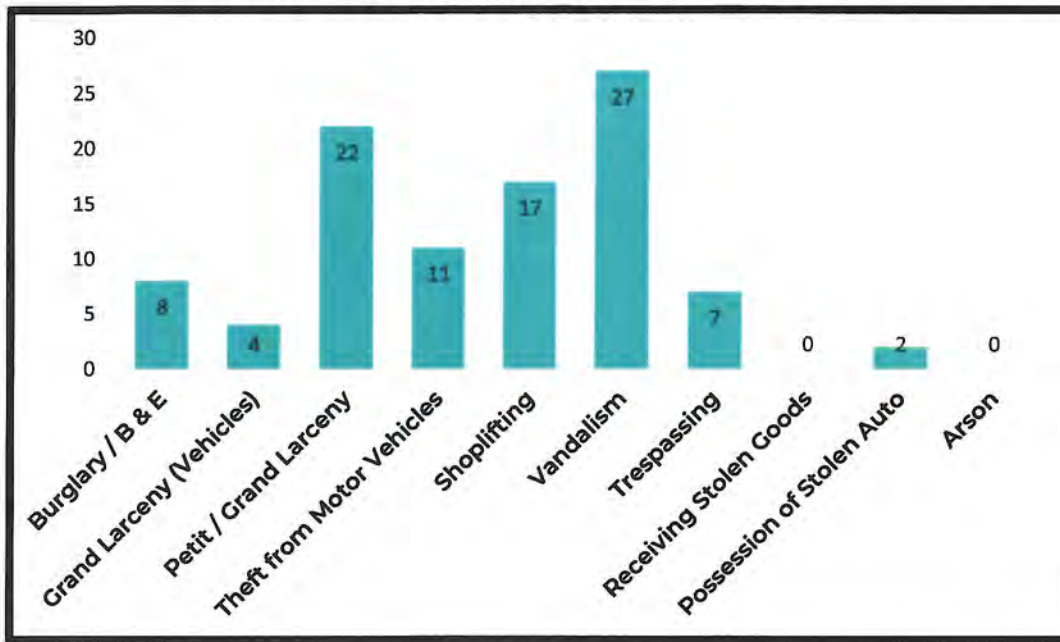
**Crimes Against Persons, Current Month**



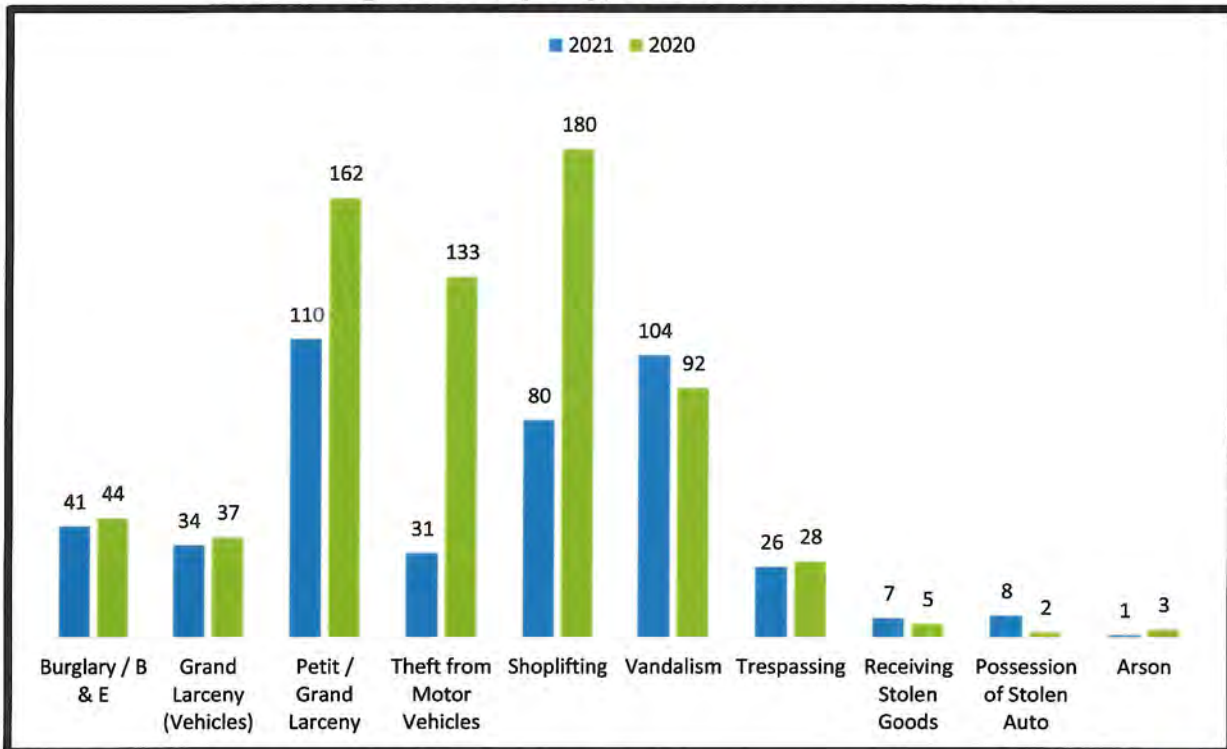
**Crimes Against Persons, This Year versus Last Year**



### Crimes Against Property, Current Month



### Crimes Against Property, This Year versus Last Year



### Crimes Continued

	Month	YTD	2020	Change %
Bench Warrant Cases	0	0	5	-100%
Alcohol Violations	43	43	32	34%
Weapons Violations	33	33	33	0%

### Crime Number Totals

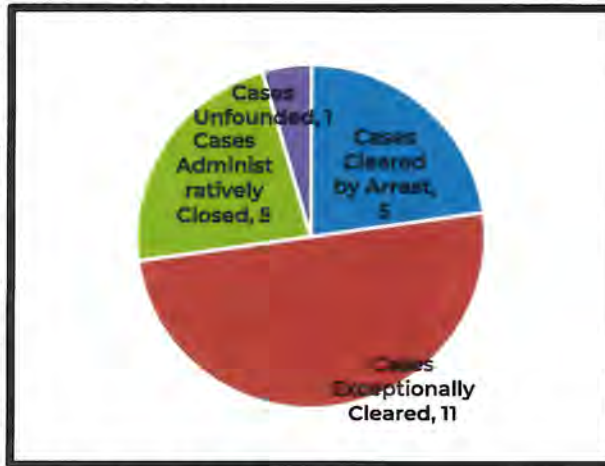
Month	YTD	2020	Change %
349	1,105	1,534	-28%

### Response Times

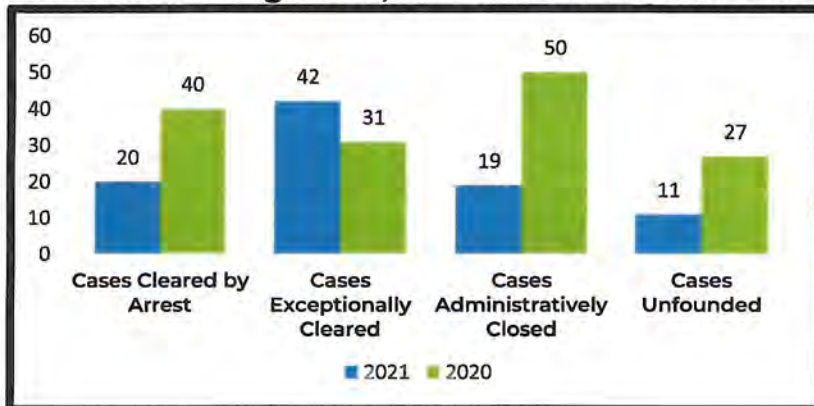
	Month	YTD	2020	Change %
Emergency	2:42	1:26	2:46	-48%
Non-Emergency	12:54	5:54	6:52	-14%

### Criminal Investigations

Total Cases			
Month	23	YTD	102
2020	179	Change %	-43%
Case Work Ups			
Month	47	YTD	220
2020	80	Change %	175%
Evidence Items			
Month	191	YTD	1,158
2020	1549	Change %	-25%



### Criminal Investigations, This Year versus Last Year



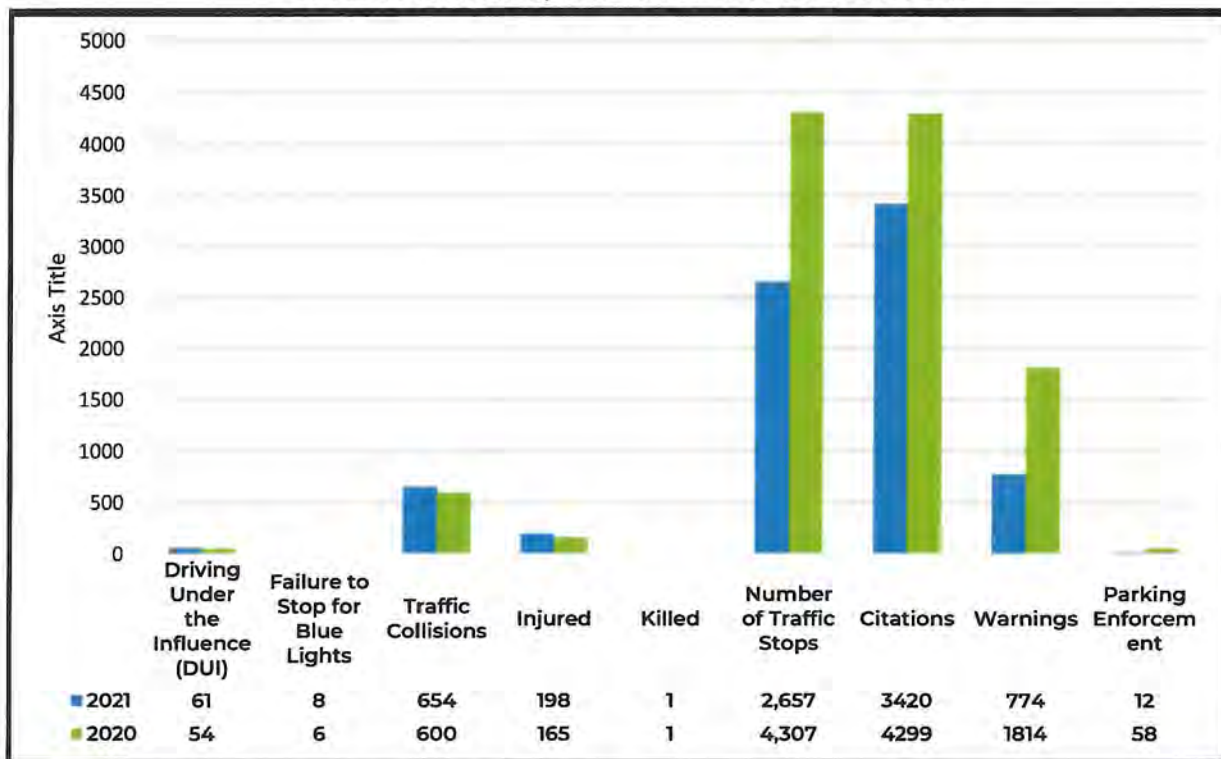
### Traffic Activities

Traffic Offenses	Month	YTD	2020	Change %
Driving Under the Influence (DUI)	61	61	54	13%
Failure to Stop for Blue Lights	8	8	6	33%

Traffic Collisions	Month	YTD	2020	Change %
Traffic Collisions	153	654	600	9%
Injured	38	198	165	20%
Killed	0	1	1	0%

Traffic Enforcement	Month	YTD	2020	Change %
Number of Traffic Stops	546	2,657	4,307	-38%
Citations	717	3,420	4,299	-20%
Warnings	156	774	1,814	-57%
Parking Enforcement	1	12	58	-79%

**Traffic Activities, This Year versus Last Year**

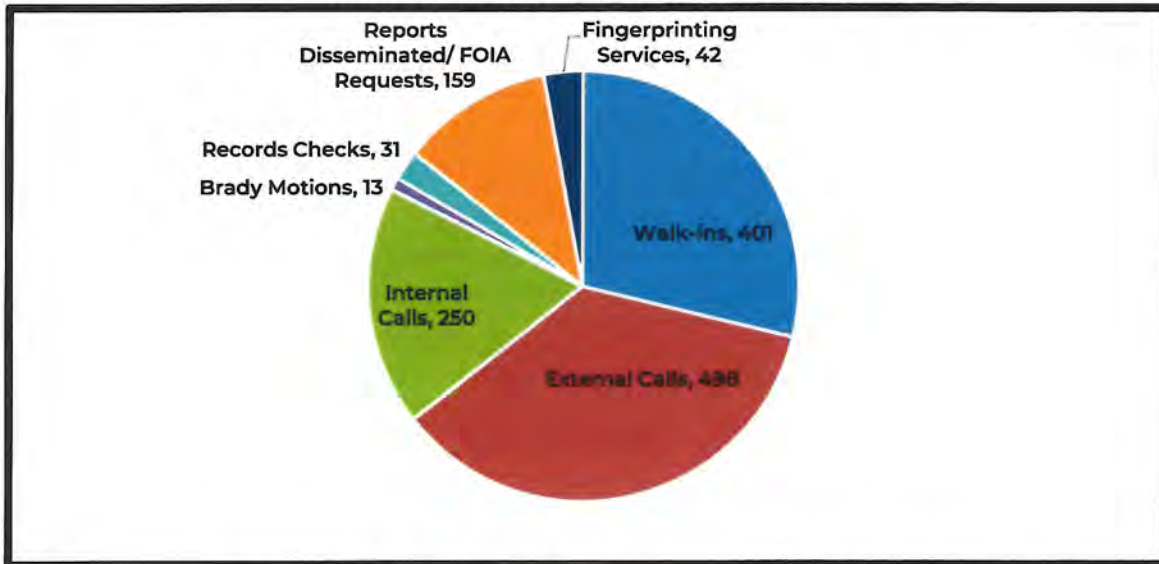


### Other Services

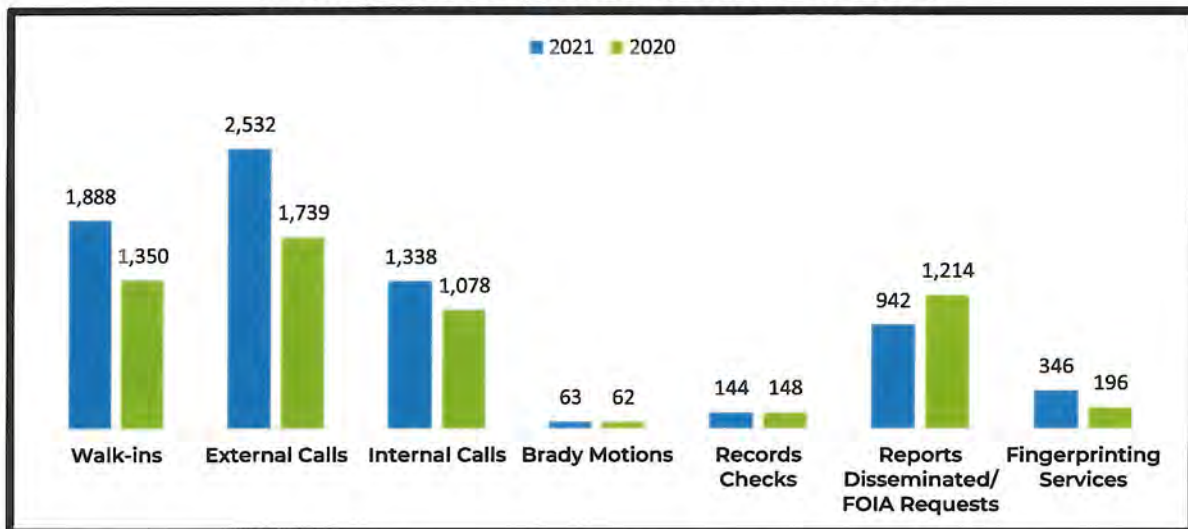
Animal Services	Month	YTD	2020	Change %
Total Calls for Service	123	612	546	12%
Total Animals Handled	40	167	149	12%

Victim Services	Month	YTD	2020	Change %
Crime Victims / Witnesses Served	44	248	280	-11%

### Records Services, Current Month

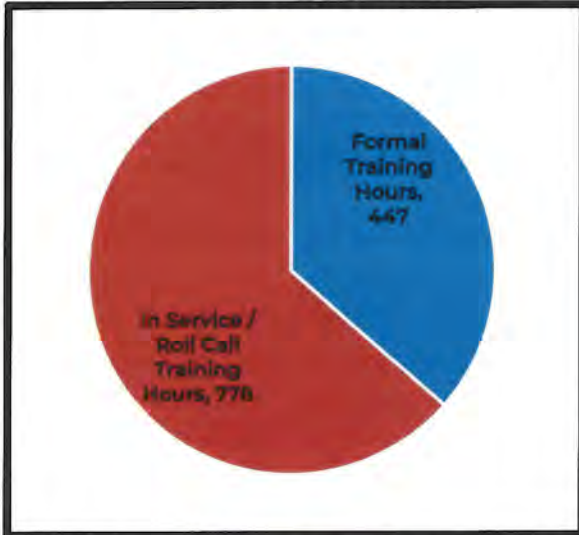


### Records Services, This Year versus Last Year

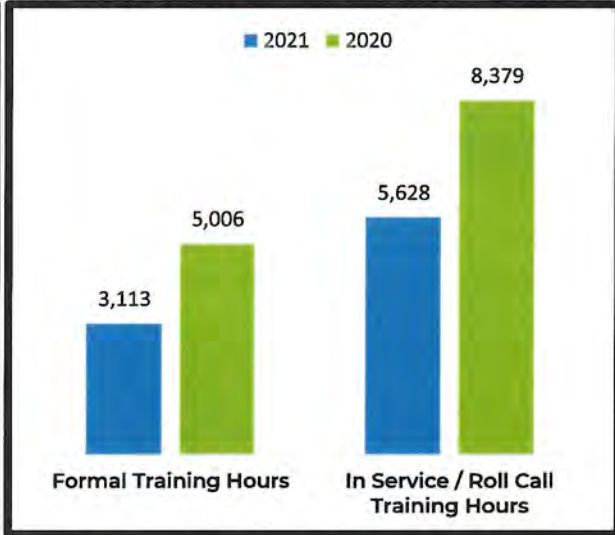


### Training Activities

Current Month

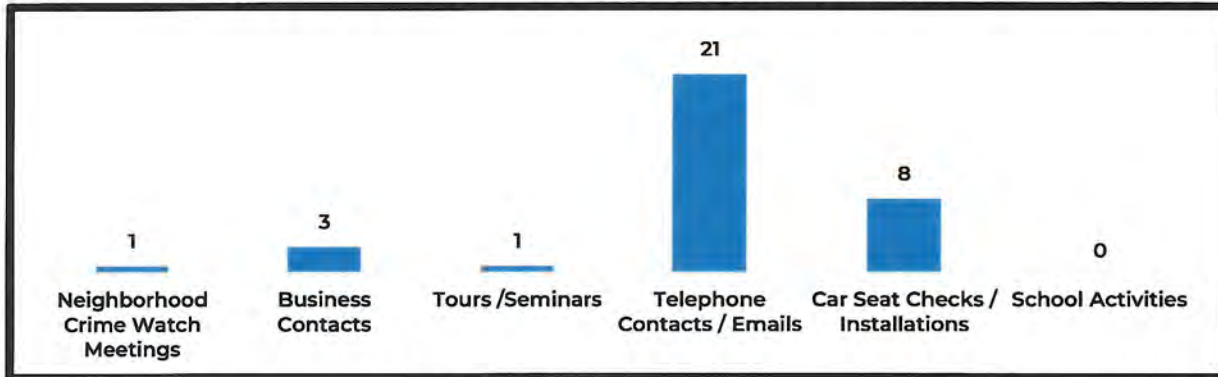


This Year versus Last Year

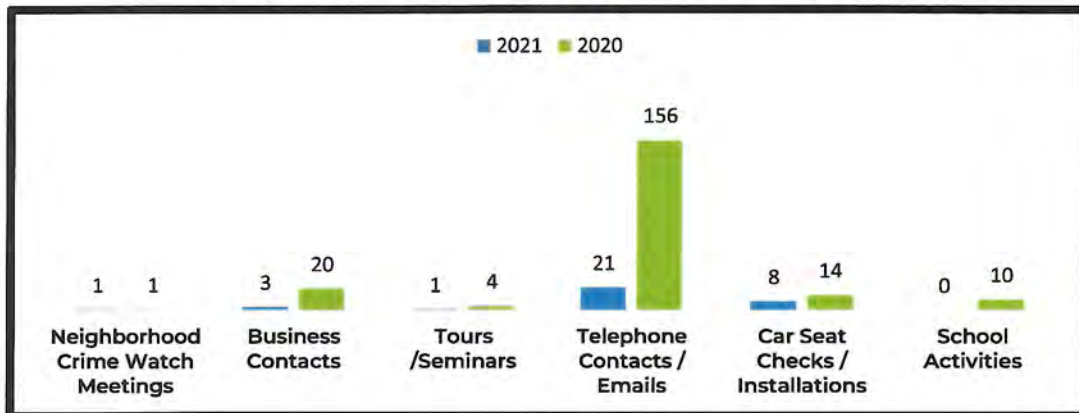


Total Monthly Training Hours: 1225

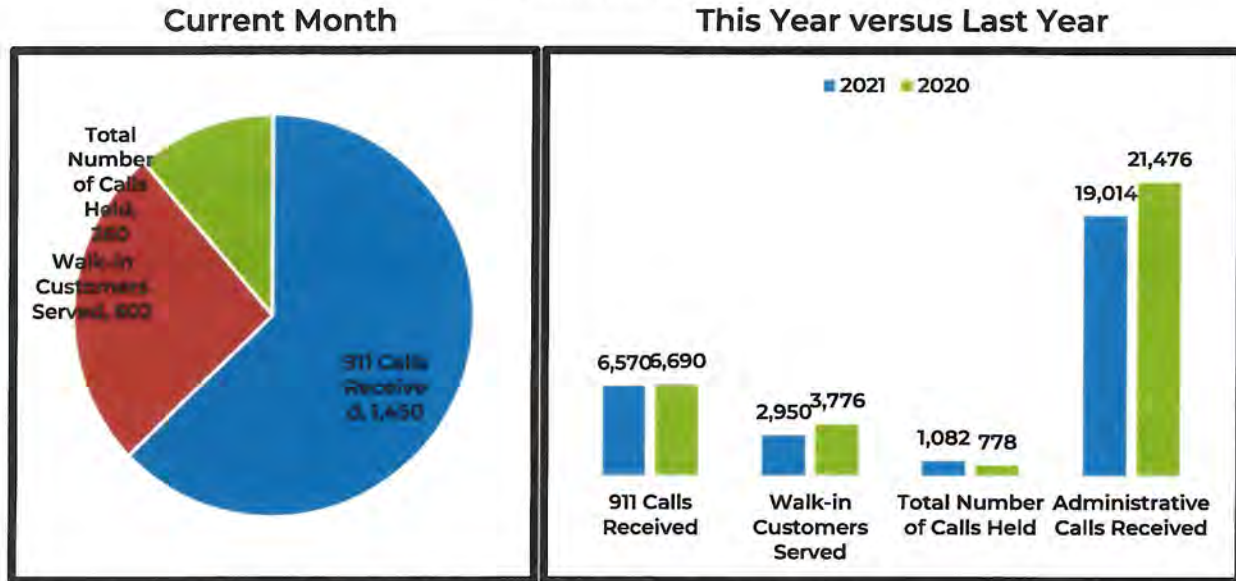
Crime Prevention Services, Current Month



Crime Prevention Services, This Year versus Last Year



## Communications



### School Resource Officers

	Month	YTD	2020	Change %
Incident Reports	13	50	28	79%
Arrests	5	21	16	31%

### Professional Standards

	Month	YTD	2020	Change %
Use of Force Incidents	1	6	5	20%
Vehicle Pursuits	0	3	7	-57%
IA Cases Initiated	0	2	2	0%
SI Cases Initiated	6	6	3	100%
Applications Reviewed	0	324	0	0%



**Golf Department  
Monthly Report  
May 2021**

MEMBERSHIP TOTALS	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	YTD
GOLF Members	149	149	152	154	162								N/A
ROUNDS 2020	2,401	2,482	4,037	1,778	3,730	4,485	4,846	4,426	4,001	4,536	3,771	3,034	43,527
ROUNDS 2021	3,154	2,377	4,528	5,449	5,531								21,039
GOLF REVENUE	85,068	83,232	126,748	146,800	178,596								620,444.62
PRO SHOP REVENUE	8,739	5,918	10,302	11,593	14,422								50,973.98
BAR - GRILL REVENUE	29,084	23,415	36,155	45,480	46,370								180,503.08
TOTAL REVENUE	\$ 122,891	\$ 112,566	\$ 173,205	\$ 203,872	\$ 239,389	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 0	851,921.68

**Crowfield Golf Club  
News and Events**

**Golf Recap:** Crowfield had great golfing weather in May and hosted over 5500 rounds. We are receiving very positive feedback from our customers on course condition, quality of food, new golf carts with GPS and customer service.

**Upcoming Events:** Crowfield will be hosting the junior swing and swim camp the week of the 21st and the CMGA red ball tournament on the 26th.

**Golf Course Condition:** The golf course is in good condition, the greens will be aerified on the 2nd and 3rd of this month. Todd, Chris and the maintenance staff will be concentrating on summer mowing, weedeating and spraying trying to keep up with the bermuda grass.  
**Crowfield Golf Club is open to the general public, regardless of where you live, for membership or daily play. For more information please go to:**  
<http://www.crowfieldgolf.com> or you may call 843-764-4618.



## Crowfield Metric Chart

	Revenue		Expense		Rounds		E.P.G.		R.P.G.	
2017	\$	1,197,591	\$	1,238,459	33,751	\$	36.69	\$	35.48	
2018	\$	1,316,535	\$	1,376,041	35,352	\$	38.92	\$	37.24	
2019	\$	1,507,839	\$	1,527,663	38,541	\$	39.64	\$	39.12	
2020	\$	1,660,565	\$	1,679,405	43,527	\$	38.58	\$	38.15	
2021	\$	851,922	\$	692,017	21,039	\$	32.89	\$	40.49	

E.P.G. = Expense per golfer

R.P.G. = Revenue per golfer

## 2021

	Revenue		Expense		Rounds		E.P.G.		R.P.G.	
January	\$	122,890.55	\$	127,107	3,154	\$	40.30	\$	38.96	
February	\$	112,565.54	\$	132,670	2,377	\$	55.81	\$	47.36	
March	\$	173,204.96	\$	142,229	4,528	\$	31.41	\$	38.25	
April	\$	203,872.07	\$	164,422	5,449	\$	30.17	\$	37.41	
May	\$	239,388.51	\$	125,589	5,531	\$	22.71	\$	43.28	
June							#DIV/0!		#DIV/0!	
July							#DIV/0!		#DIV/0!	
August							#DIV/0!		#DIV/0!	
September							#DIV/0!		#DIV/0!	
October							#DIV/0!		#DIV/0!	
November							#DIV/0!		#DIV/0!	
December							#DIV/0!		#DIV/0!	
<b>Total</b>		<b>\$851,921.63</b>	<b>\$</b>	<b>692,017</b>	<b>21,039</b>					

\* 2021 is un-audited

City of Goose Creek  
Recreation Department  
Monthly Report  
May 2021

**ACTIVITY CENTER PROGRAMS**

- **Aerobics:** 12 classes offered per week, 7 Easy Does it classes offered per week, Zumba classes offered 3 times a week, Ball Fit is offered 2 times a week and Werq is also a good workout. Spin classes have been added to offer a variety to participants. A monthly schedule is out with specific dates and times.
- **Art Classes:** Art classes are offered for adults and kids. Each class has a different theme. Days and times of classes can be found on our website.
- **Dance:** Ages 3 & up learn tap, ballet and jazz and put on a recital in May. Hip Hop classes are also offered on Monday afternoons from 4:30 PM to 5:30 PM.
- **Gymnastics/Tumbling/Cheernastics:** Playnastics is a fun time for ages 6 months to 7 year olds. Classes are held Monday and Wednesdays from 10:00am to 12:00pm. The cost is \$5 per child for residents and \$7 per child for nonresidents. There are several classes for all ages. See our website for all class times and dates.
- **Martial Arts:** Classes are held on Tuesdays, Thursdays and Saturdays for all levels starting at age 4. First class is a free trial class.
- **Preschool:** Preschool will consist of 3-5 year olds in our Half Pints class. This class will be Monday through Friday from 8:30am-11:00a. The school program runs from September to May and follows the Berkeley County School District holiday schedule.
- **Yoga:** Classes are offered on Monday through Thursday for all different levels. The website will show all the levels and times offered.

	<b>April</b>	<b>May</b>	<b>Totals</b>
Total Participants	786	663	Average 720
Resident Participants	466	382	Average 437
Nonresident Participants	320	281	Average 283
Resident Revenue	\$ 32,756.25	\$ 26,589.75	\$ 146,044.75
Nonresident Revenue	\$ 27,485.00	\$ 22,297.50	\$ 114,376.50
Instructors Pay	\$ (3,689.00)	\$ (3,752.00)	\$ (19,595.99)
Profit/Loss	\$ 56,552.25	\$ 45,135.25	\$ 240,825.26

**COMMUNITY CENTER PROGRAMS**

- **Fitness Memberships:** Adult and Youth Memberships are available. Residents are \$60 for an adult and \$25 for youth for a year. Nonresidents pay \$325 adult and \$175 for a youth membership per year.
- **Personal Training:** Orientation, Personal Training from 3 certified instructors, and Strength training for teens.
- **Senior Walking Club:** This club is for seniors 60 and older. They receive a colored membership card that does not need to be scanned in. This membership runs a calendar year. Residents pay \$25 for a year and nonresidents pay \$100 for a year. The days and hours that they can walk is Monday – Friday 12:30 PM to 2:30 PM.

	<b>April</b>	<b>May</b>	<b>Totals</b>
Total Participants	3,207	3,227	Average 3,044
Resident Participants	3,072	3,021	Average 2,887
Nonresident Participants	135	206	Average 157
Resident Revenue	\$ 23,348.25	\$ 27,828.25	\$ 112,448.00
Nonresident Revenue	\$ 5,449.00	\$ 5,759.00	\$ 27,337.25
Instructors Pay	\$ (581.00)	\$ (4,204.40)	\$ (6,469.30)
Profit/Loss	\$ 28,216.25	\$ 32,609.85	\$ 136,510.45

## **SPORTS**

**Baseball/Softball:** Spring baseball and softball will begin registration on January 4, 2021 and end on January 28, 2021. Practices will start in March and games will begin in April at Felkel Field.

AGE GROUPS	# of TEAMS	# of PARTICIPANTS
T-Ball Ages 4-5	8	71
Coach Pitch Ages 6-8	4	52
Mod. Kid/Coach Pitch Ages 7-8	4	48
Minors Ages 9-10	4	48
Dixie Youth Ages 11-12	4	42
Dixie Boys Ages 13-14	2	26
Dixie Majors Ages 15-19	0	0
Softball Coach Pitch Ages 6-8	2	26
Softball Dixie Angels Ages 9-10	2	25
Softball Dixie Ponytails Ages 11-12	2	24
Softball Dixie Belles Ages 13-15	1	13
Softball Dixie Debs Ages 16-19	0	0

**Soccer:** Spring soccer registration will start January 4 and will end on January 28, 2021. Practices will start in March and games will begin in April at Foster Creek Park.

AGE GROUPS	# of TEAMS	# of PARTICIPANTS
Tiny Tot Ages 4-5	8	80
Pee Wee Ages 6-7	8	81
Small Fry Ages 8-9	7	91
Mite Ages 10-12	7	91

**Cheerleading:** Registration will start May 31, 2021.

**Football:** Registration will start June 1, 2021.

AGE GROUPS	# of TEAMS	# of PARTICIPANTS
Midget Ages 6-8		
Pee Wee Ages 9-10		
Small Fry Ages 11-12		
Bantam Ages 13-14		

**Basketball:** Registration for the summer season started April 5, 2021 and will end on April 22, 2021.

AGE GROUPS	# of TEAMS	# of PARTICIPANTS
Tiny Tot Ages 5-6	6	56
Pee Wee Ages 7-8	6	60
Small Fry Ages 9-10	4	42
Small Fry Girls Ages 9-10	2	22
Mite Ages 11-12	6	58
Mite Girls Ages 11-12	2	20
Midget Ages 13-14	4	31
Junior Ages 15-17	2	15
Men Ages 18 +	1	5

## SPORTS

- **Pickleball:** This sport is a mixture of ping pong, badminton and tennis. There is open play five days a week from 9:00am to 1:00pm. We also offer some select Sunday afternoon from 3pm-5pm for open pickleball play. Members can play for free and nonmembers only pay \$2 to play.
- **Volleyball:** We offer open play on Friday nights from 4:30 PM to 8:00 PM. Members can come in for free and nonresidents pay a \$5 fee.

	April	May	Totals
Total Participants	378	77	964
Resident Participants	283	42	737
Nonresident Participants	95	35	227
Resident Revenue	\$ 13,570.00	\$ 2,610.00	\$ 51,730.00
Nonresident Revenue	\$ 5,129.90	\$ 1,265.00	\$ 18,794.90
Instructors Pay	\$ (377.93)	\$ (000.00)	\$ (377.93)
Profit/Loss	\$ 18,321.97	\$ 3,875.00	\$ 70,146.97

**SUMMARY**

<b>Athletics</b>	<b>April</b>	<b>May</b>	<b>Totals (Since Jan. 1)</b>
Total Resident Participants	283	42	<b>1,020</b>
Total Resident Revenue	\$13,570.00	\$2,610.00	<b>\$51,730.00</b>
Total Nonresident Participants	95	35	<b>322</b>
Total Nonresident Revenue	\$5,129.90	\$1,265.00	<b>\$18,794.90</b>

<b>Activity Center</b>	<b>April</b>	<b>May</b>	<b>Totals (Since Jan. 1)</b>
Total Resident Participants	466	382	<b>2,189</b>
Total Resident Revenue	\$32,756.25	\$26,589.75	<b>\$146,044.75</b>
Total Nonresident Participants	320	281	<b>1,511</b>
Total Nonresident Revenue	\$27,485.00	\$22,297.50	<b>\$114,376.50</b>

<b>Community Center</b>	<b>April</b>	<b>May</b>	<b>Totals (Since Jan. 1)</b>
Total Resident Participants	3,072	3,021	<b>14,429</b>
Total Resident Revenue	\$23,348.25	\$27,828.25	<b>\$112,448.00</b>
Total Nonresident Participants	135	206	<b>783</b>
Total Nonresident Revenue	\$5,449.00	\$5,759.00	<b>\$27,337.25</b>

## UPCOMING EVENTS

### JULY

4<sup>th</sup> – Fabulous Fourth in the Creek – This is a fun event for the whole family. It will be held at the lake behind the Municipal Center from 6:30pm-9:30pm. Fireworks will be promptly at 9:30pm.

### Goose Creek Recreation Parks and Addresses

- Dogwood Park – 460 Liberty Hall Rd. – soccer field, football field, covered picnic area, grill, playground
- Etling Park – 100 Ellen Dr. - basketball court, covered picnic area, playground
- Eubanks Park – 125 Old Moncks Corner Rd. – basketball courts, sand volleyball court, tennis courts, covered picnic area, grill, playground – available for rentals
- Fairfax Park – 100 Fairfax Blvd. – grill, picnic area, playground
- Felkel Field Complex – 100 Lucy Dr. – baseball/softball fields, concession stand, restrooms, playground
- Forest Lawn Park – 100 Giles Dr. – grill, picnic tables, playground
- Foster Creek Park – 100 Foster Creek Rd. – soccer fields, concession stand, restrooms, Playground
- Lake Greenview Park – 1 Pandora Dr. – trails, covered picnic area, picnic tables, grill, Playground
- Oak Creek Park – 100 Persimmon Circle – covered picnic area, grill, playground
- Ryan Creek Park – 229 Janice St. – benches, playground
- St. James III Park – 1007 Willowood Ave. – covered picnic area, grill, playground
- St. James Park – 107 Westminster Blvd. – covered picnic area, playground, tennis court