



# TOWN COUNCIL REGULAR MEETING

Town Council Chambers, Moncks Corner Municipal  
Complex, 118 Carolina Avenue  
THURSDAY, SEPTEMBER 15, 2022 at 6:00 PM

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## MINUTES

### CALL TO ORDER

The regular meeting of Town Council was called to order by Mayor Michael Locklear at 6:00 p.m.

#### Present:

Mayor Michael A. Locklear  
Mayor Pro-Tem David A. Dennis, Jr.  
Councilmember DeWayne G. Kitts  
Councilmember James N. Law, Jr.  
Councilmember Latorie S. Lloyd  
Councilmember James B. Ware, III

#### Staff Present:

John S. West, Town Attorney  
Jeffrey V. Lord, Town Administrator  
Marilyn M. Baker, Clerk to Council  
David R. Brabham, Jr., Police Chief  
Rebecca T. Ellison, Recreation Director  
Douglas R. Polen, Community Development Director  
R. Logan Faulkner, Public Service Director  
Robert L. Gass, III, Fire Chief  
Mohamed A. Ibrahim, Technology Manager

Absent: Councilmember Chadwick D. Sweatman  
Justine H. Lovell, Finance Director

### INVOCATION

Invocation delivered by John S. West, Town Attorney

### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the American Flag was led by Mayor Pro-Tem David Dennis, Jr.

### SPECIAL PRESENTATIONS

1. **Recognition:** 2022 South Carolina Athletic Program 12U Softball State Champions. Recreation Director Becky Ellison read a Proclamation honoring the 2022 South Carolina Athletic Program 12U Softball State Champions for their historical achievement in winning the SC Athletic Program 12U State Championship defeating Latta 7-4 and finishing their season as District and State Champions. Mayor Locklear presented Head Coach Doug Floyd with a plaque and thanked him along with

Assistant Coaches Cal Dephouse and KY Myers for their assistance and outstanding leadership.

## PRESENTATIONS

2. **Swearing In Ceremony for Police Chief:** David R. Brabham, Jr.  
David R. Brabham, Jr. was administered the Oath of Office by Attorney John S. West to serve as Police Chief for the Town effective September 15, 2022. Chief Brabham thanked Council for the opportunity to serve.

## APPROVAL OF MINUTES

3. **Budget Workshop:** August 16, 2022  
Motion made by Mayor Pro-Tem Dennis to approve the Budget Workshop meeting minutes of August 16, 2022, seconded by Councilmember Law. Motion was approved unanimously as follows:

Voting Yea: Mayor Pro-Tem Dennis, Councilmember Kitts, Councilmember Law, Councilmember Lloyd, Councilmember Ware.

3. **Regular Monthly Meeting:** August 16, 2022  
Motion made by Mayor Pro-Tem Dennis to approve the regular meeting minutes of August 16, 2022, seconded by Councilmember Lloyd. Motion was approved unanimously as follows:

Voting Yea: Mayor Pro-Tem Dennis, Councilmember Kitts, Councilmember Law, Councilmember Lloyd, Councilmember Ware.

4. **Budget Workshop:** August 23, 2022  
Motion made by Mayor Pro-Tem Dennis to approve the Budget Workshop meeting minutes of August 23, 2022, seconded by Councilmember Law. Motion was approved unanimously as follows:

Voting Yea: Mayor Pro-Tem Dennis, Councilmember Kitts, Councilmember Law, Councilmember Lloyd, Councilmember Ware.

## REPORTS

5. **Mayor's Report:** Michael A. Locklear  
Mayor Locklear had nothing to report.
6. **Administrator's Report:** Jeffrey V. Lord  
Administrator Lord reported that the Town has received approximately 333 responses to the Recreation needs assessment survey. Our goal was to receive at least 300 to have a valid and accurate survey result. The results of the survey will be out soon. He also reported that the Miracle League Field construction is nearing completion. Everything is moving on schedule. The parking lot has been paved and the rubberized surface should be going on next week.

## NEW BUSINESS

7. **Foxbank Plantation Boulevard Traffic Signal Installation:** Recommendation to award the construction contract to Red Electrical Design, LLC

Motion made by Councilmember Law to approve the construction contract with Red Electrical Design, LLC. Motion was seconded by Councilmember Ware. Motion was approved unanimously as follows:

Voting Yea: Mayor Pro-Tem Dennis, Councilmember Kitts, Councilmember Law, Councilmember Lloyd, Councilmember Ware.

8. **Voluntary Demolition Project:** Consider authorizing the demolition of 582 Stoney Landing Road, 202 Cooper Street, and 104 Fennick Drive and accepting the low contract bids for demolition.

Motion was made by Councilmember Law to deny. He would like to obtain more information from staff. There wasn't a second to his motion. Motion failed.

Motion made by Councilmember Kitts to approve the three demolition projects listed above. Motion was seconded by Mayor Pro-Tem Dennis. Motion was approved by majority vote as follows:

Voting Yea: Mayor Pro-Tem Dennis, Councilmember Kitts, Councilmember Lloyd, Councilmember Ware.

Voting No: Councilmember Law

9. **First Reading:** Consider an ordinance to rezone 10.38 acres located at the southeast corner of US Highway 52 and Shine Lane, TMS 142-00-01-021, from C-2, General Commercial, to R-3, Single-Family Attached Residential, with Conditions.

Motion made by Councilmember Law to approve the above ordinance for first reading to rezone 10.38 acres (TMS 142-00-01-021), from C-2 General Commercial to R-3, Single Family Attached Residential, with conditions. Motion was seconded by Mayor Pro-Tem Dennis.

Councilmember Ware asked for an explanation of the conditions. Community Development Director read the conditions that were placed on the development. The conditions are attached to the ordinance.

Motion was approved unanimously as follows:

Voting Yea: Mayor Pro-Tem Dennis, Councilmember Kitts, Councilmember Law, Councilmember Lloyd, Councilmember Ware.

- 10. First Reading:** Consider an ordinance to annex property east of the southern terminus of Vanihayn Drive, TMS 122-00-02-009, and to zone said property R-2, Single Family Residential with Conditions.

Motion made by Mayor Pro-Tem Dennis to approve the above ordinance for first reading to annex the southern terminus of Vanihayn Drive, (TMS 122-00-02-009), and to zone property R-2, Single Family Residential, with conditions. Motion was seconded by Councilmember Law.

Councilmember Kitts asked if there will be any additional traffic on Vanihayn Drive. Community Development Director Polen responded no, and that the neighborhood is happy with the development. The developer has offered to install an emergency access gate at Vanihayn Drive blocking cross traffic from the Kitfield Development and the Vanihayn Community as well as the property owner south of the gate. All concerned seemed satisfied with this option. At the August 23<sup>rd</sup> Planning Commission meeting, the developer stated that he had spoken with the neighborhood, and they would also like a gate at Prospect Drive. Staff has concerns about trash trucks traveling through. They will not have emergency access keys to exit and cannot be expected to back up 1800' back to Kitfield. Staff will have an answer on this by second reading. Councilmember Law asked if there will be any impact on the neighborhood that will be averse to this. Doug's response, I don't believe so. The neighborhood is in favor of this development; they just don't want a lot of traffic on their roads. The conditions are attached to the ordinance.

Motion was approved unanimously as follows:

Voting Yea: Mayor Pro-Tem Dennis, Councilmember Kitts, Councilmember Law, Councilmember Lloyd, Councilmember Ware.

- 11. First Reading:** Consider an ordinance to annex 19.17 acres along Highway 52 at the end of Perry Hill Road, TMS 142-14-00-030, and to zone said property R-3, Single Family Attached Residential, with conditions.

Mayor Pro-Tem Dennis recused himself from discussion due to ownership and vested interests in the property. He submitted his statement to Mayor Locklear for approval.

Councilmember Law recused himself from discussion due to either professionally employed by or under contract with principal. He submitted his statement to Mayor Locklear for approval.

Motion made by Councilmember Kitts to approve the above ordinance for first reading to annex 19.17 acres along Highway 52 at the end of Perry Hill Road, TMS 142-14-00-030, and to zone said property R-3, Single Family Attached Residential, with conditions. Motion was seconded by Councilmember Ware.

Councilmember Kitts asked if there were two entrances and exits in this development. Community Development Director Doug Polen responded yes. There will be an entrance from Highway 52 and Perry Hill. The Developer is responsible for the road. Councilmember Kitts asked if there was any feedback from anyone in the Perry Hill Community on this development. Director Polen responded only one inquiry. No one

has expressed any opinion one way or another. Mayor Locklear asked if there was a public hearing scheduled. Director Polen responded no, it is not required by ordinance. Mayor Locklear suggested that we hold a public hearing before second reading as we have done with other developments in the past. Councilmember Lloyd asked who will be responsible for the roads. Director Polen responded that it will fall under whomever is currently responsible for the road at this time, i.e. County or State. They will take it under their maintenance plan. It will be up to the County or State to decide whether they will accept the roads within the development or if they will remain private roads. The conditions are attached to the ordinance.

Motion was approved by majority vote as follows:

Voting Yea: Councilmember Kitts, Councilmember Lloyd, Councilmember Ware.

**12. First Reading:** Consider an ordinance to amend Article 2 of the Zoning Ordinance

Motion made by Councilmember Law to approve the above ordinance for first reading. Motion was seconded by Mayor Pro-Tem Dennis.

Community Development Director explained that Council will be codifying something Code Enforcement is already enforcing. It will clarify the difference between parking and outdoor vehicle storage. The purpose of the amendment is to officially define these terms.

Motion was approved as follows:

Voting Yea: Mayor Pro-Tem Dennis, Councilmember Kitts, Councilmember Law, Councilmember Lloyd, Councilmember Ware.

## **OLD BUSINESS**

**13. Second Reading and Public Hearing: Ordinance No. 2022-05**

Consider an application to annex property along Highway 52 north of the Tail Race Canal Bridge as well as property along Highway 402 near 1105 N Highway 52, and to zone said property D-1, Development District.

**Public Hearing:** Robby Manor of 131 Spring Street, Charleston, and Project Manager with the Coastal Conservation League. He expressed concerns of the Town annexing this area which may have unintended consequences in the future in terms of keeping continuity on Highway 402. This area runs through the historic Cooper River Corridor between the river and Francis Marion. Millions of dollars have been spent to preserve this area. He also expressed concerns of this annexation opening the area to future annexations and development. He added that they do not have any issues with the Town attempting to increase public safety at this intersection of Highway 52 and 402, however he asked the Town to consider the implications of this annexation. He suggested that the Town consider possibly entering into an intergovernmental agreement to address public safety concerns and added that if the Town proceeded with the annexation, he would like the Town to consider updating the Comprehensive Plan to include some additional safeguards to ensure that there are no future strip annexations on Highway 402.

Motion made by Councilmember Kitts to approve the above ordinance for second reading. Motion was seconded by Mayor Pro-Tem Dennis and approved unanimously as follows:

Voting Yea: Mayor Pro-Tem Dennis, Councilmember Kitts, Councilmember Law, Councilmember Lloyd, Councilmember Ware.

**14. Second Reading and Public Hearing: Ordinance No. 2022-06**

An ordinance to rezone a 1.0-acre property located on Main Street Extension, TMS 143-00-00-087, from R-2, Single Family Residential, to C-2, General Commercial with conditions.

**Public Hearing:** Ricky Parler, of 109 Almond Street, Pinopolis, SC and applicant asked if there was a common ground, that we can agree on so he can proceed with his project. He added that he updated his plans to include brick and an awning to the front of the building to help dress it up. He also added a 6' wood privacy fence.

Motion made by Councilmember Law to approve the above ordinance for second reading. Motion was seconded by Councilmember Kitts and approved unanimously as follows:

Voting Yea: Mayor Pro-Tem Dennis, Councilmember Kitts, Councilmember Law, Councilmember Lloyd, Councilmember Ware.

**15. Second Reading and Public Hearing: Ordinance No. 2022-07**

An Ordinance to amend Ordinance No. 2021-08 and the budget attached thereto and to adjust certain revenues and expenditures for the Fiscal Year 2022.

**Public Hearing:** There were no comments from the public.

Motion made by Councilmember Kitts to approve the above ordinance for second reading. Motion was seconded by Mayor Pro-Tem Dennis and approved unanimously as follows:

Voting Yea: Mayor Pro-Tem Dennis, Councilmember Kitts, Councilmember Law, Councilmember Lloyd, Councilmember Ware.

**16. Second Reading and Public Hearing: Ordinance No. 2022-08**

An Ordinance to raise revenue and adopt a budget for the Town of Moncks Corner, South Carolina, for the fiscal year beginning October 1, 2022, and ending September 30, 2023

**Public Hearing:** Attorney Tyler Jenkins expressed concerns of the millage rate being raised 10 mills. Mayor Locklear responded that this is not a decision that Council takes lightly. The increase is also imposed on us individually because we all live in Town. With inflation, labor costs and fuel costs, the cost of services have increased. We had no other choice. We could have gone up a little bit, but we would have had to raise it again in a couple of years. Council chose to do it all at one time to get it out of the way. This is the first time in seven years we had to raise taxes and are very proud of

that. Hopefully it will be another seven years before we have to do it again or hopefully, not at all. We are just trying to keep up. We were losing employees for better pay to other entities and services were suffering. Attorney Jenkins asked if there was discussion beforehand regarding costs, revenues, and working as efficiently on the numbers as possible before a 15% increase was imposed. Mayor Locklear responded, absolutely, there is no fluff in this budget. Staff worked very hard on this budget only allocating what is needed. Attorney Jenkins thanked Mayor Locklear for the explanation.

Motion made by Mayor Pro-Tem Dennis to approve the above ordinance for second reading. Motion was seconded by Councilmember Kitts and approved unanimously as follows:

Voting Yea: Mayor Pro-Tem Dennis, Councilmember Kitts, Councilmember Law, Councilmember Lloyd, Councilmember Ware.

**PUBLIC INPUT** – There were no comments from the public.

#### **ADJOURNMENT**

Motion was made by Councilmember Law, seconded by Councilmember Ware to adjourn the regular meeting of Council. Meeting was adjourned at 6:47 p.m. Motion was approved unanimously as follows.

Voting Yea: Mayor Pro-Tem Dennis, Councilmember Kitts, Councilmember Law, Councilmember Lloyd, Councilmember Ware.

A copy of this meeting's agenda was e-mailed to the Post and Courier, The Berkeley Independent, Live 5 News, Channel 4, Channel 2, and The News Journal Scene. As required, the agenda was posted on the Municipal Complex bulletin board and Town Website at least 24 hours prior to the meeting.

Minutes Approved and Adopted:

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Marilyn M. Baker/Clerk to Council

October 18, 2022  
DATE