

Mayor
Ricky Waring

Council Members:
Bob Jackson
Russ Touchberry
Aaron Brown
Terry Jenkins
Kima Garten-Schmidt
William McIntosh



Town Administrator
Lisa Wallace

Town Clerk
Beth Messervy

Town Attorney
G.W. Parker

TOWN of SUMMERVILLE

COUNCIL MEETING MINUTES February 9, 2023

ATTENDANCE

Present: Mayor Ricky Waring, Councilmembers Kima Garten-Schmidt, Bob Jackson, Aaron Brown, Russ Touchberry, Terry Jenkins and Bill McIntosh. Also in attendance were Town Administrator Lisa Wallace, Town Attorney GW Parker, and Town Clerk Beth Messervy. A quorum was met. Public and press were duly notified. The meeting took place in Council Chambers at 200 South Main Street and was livestreamed from the Town's website.

CALL TO ORDER

Mayor Waring called the meeting to order at 6:00pm on Thursday, February 9, 2023. Councilman Aaron Brown gave the invocation, followed by the Pledge of Allegiance.

PRESENTATION BY DORCHESTER SENIORS, INC.

Leigh Thomson with Dorchester Seniors, Inc. asked Council to renew the agreement with Dorchester County for the lease of the Dorchester Senior Center, Inc. She also introduced the members of the Dorchester Seniors board.

PRESENTATION BY NAACP – REDISTRICTING PLAN

John Ruoff presented a proposed redistricting plan, on behalf of the NAACP, for the Town of Summerville to adopt based on the results of the 2020 census. Council was given a copy of the maps.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

Mr. Jenkins made a motion, seconded by Mr. Brown, to accept the minutes of the January 12, 2023 Council meeting and the February 6, 2023 Standing Committee meeting minutes. The motion carried unanimously, and the minutes were accepted into record.

PUBLIC COMMENT – FEBRUARY 9, 2023 AGENDA ITEMS

Mayor Waring opened the floor for public comments for items on the February 9, 2023 agenda.

Laura Vanderford stated that she is against the annexation of the homeless shelter property on Miles-Jamison Road, owned by Dorchester County Community Outreach (DCCO). She stated that she is not comfortable living alone so close to where the shelter will be built and that she does not understand why that property was zoned commercial in a residential property.

Laura Lauter asked council to consider the safety of the children living in the vicinity of the proposed homeless shelter.

Ginny Vicini, the Executive Director of the DCCO, presented facts about what the organization does for the community. She also stated that the current homeless houses on Central Avenue are very strict and that all men and women staying there have to be willing to work full-time in order to stay there.

Joseph Friday, the President of the DCCO Board of Directors, stated that the organization is applying for annexation because they have to in order to request water and sewer from the Commissioners of Public Works. He stated that the annexation into the Town would require more stringent setbacks than if the property was not annexed and stayed in unincorporated Dorchester County. He also stated that the DCCO would honor the neighbors' request with a fence around the property.

Peggy Ridgeway stated that she and members of her church have worked with the two DCCO facilities and that they have only had good interaction with the residents of the facilities. She stated that the residents are required to find jobs.

Lori Kolczynski expressed her concern for safety along Miles-Jamison Road near where the shelter is being built. She stated that there are no sidewalks and no street lights on that section of the road, and that it is very unsafe for people to walk on.

Chris Vierra stated that he is concerned for the safety of the citizens in the neighborhoods surrounding the site of the homeless shelter. He stated that the DCCO did not mention anything about violent crimes done by the residents of their current facilities.

Justin Lewis stated that he works at the current facilities of the DCCO and that he practices "unconditional love," urging residents to not confuse "homeless" with "criminals." He also stated that not annexing the property will not stop the facility from being built anyway.

There being no further comments, Mayor Waring closed this part of the meeting.

PETITIONS

Mr. Touchberry made a motion, seconded by Mr. Jenkins, to give first reading to an ordinance to annex Dorchester County TMS# 152-00-00-051, 3.83 acres located off Flood Heirs Road, currently zoned MUC, Mixed Use Community District, in Dorchester County and will be zoned UC-MX, Urban Corridor Mixed-Use, upon annexation into the Town of Summerville's municipal limits. Ms. Garten-Schmidt stated that she was reluctant to bring any additional apartments into the Town limits and expressed her concerns about what the development would look like once the Berlin G Myers Parkway Phase 3 was complete. Mr. McIntosh stated that this development is outside of the Town's planning area and that the developers would not have selected this site had it not been for the Berlin

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G. Myers Parkway being built there. Some discussion followed. The motion carried 4-3 with Ms. Garten-Schmidt, Mr. Brown, and Mr. McIntosh voting in opposition.

Mr. Jenkins made a motion, seconded by Mr. Touchberry, to give first reading to an ordinance to annex Dorchester County TMS# 152-01-02-007, 13.24 acres located at 116 Flood Heirs Road, currently zoned R-1, Single-Family Residential, in Dorchester County and will be zoned UC-MX, Urban Corridor Mixed-Use, upon annexation into the Town of Summerville's municipal limits. Some discussion followed. A representative for the developer was recognized to speak to correct an inaccuracy in some of the discussion on the previous agenda item (same developer). The representative stated that Dorchester County did not deny the request to build the development at that location. She explained that the developer increased the commercial use by three times at the request of Council at their meeting in January. She also reported that the updated Fiscal Impact Analysis puts the development a little over the break-even point. Some discussion followed. The motion carried 4-3 with Ms. Garten-Schmidt, Mr. Brown, and Mr. McIntosh voting in opposition.

Mr. Jenkins stated that if the Town does not annex the property on Miles-Jamison Road owned by Dorchester County Community Outreach, that the homeless facility will still be built because Dorchester County's zoning allows it there. He stated that he wants to know what the public wants. Mr. Jackson agreed with Mr. Jenkins and said that he would like to postpone to hear from more citizens. Mr. Jackson made a motion, seconded by Mr. Touchberry, to postpone the first reading until the March 9, 2023 Council meeting to give time for Councilmembers to hear from more members of the public. Some discussion followed. The motion carried unanimously.

PENDING BILLS AND RESOLUTIONS

Mr. Brown made a motion, seconded by Mr. Touchberry, to give second and final reading of an ordinance to amend Chapter 8, Article II, Section 8-42(a) and Section 8-43 to provide for an interest free grace period for non-payment of business license taxes and to allow the license official to provide notice by electronic mail. The motion carried unanimously.

Mr. Jackson made a motion, seconded by Mr. Touchberry, to give second and final reading of an ordinance to rezone TMS# 137-14-05-013, 800 S. Main Street, approximately 0.47 acres, and owned by John Thomas Wayne Beasley, from GR-2, General Residential (2 units/acre), to N-MX, Neighborhood Mixed-Use, with the condition of a deed restriction preventing the subdivision of the property. The motion carried 6-1, with Mr. Brown voting in opposition.

INTRODUCTION OF BILLS AND RESOLUTIONS

Mr. Touchberry made a motion, seconded by Ms. Garten-Schmidt, to give first reading of an ordinance to rezone TMS#137-09-01-057, located on Central Avenue, approximately 2.98 acres, and owned by 725 Central LLC, from PUD, Planned Development District, to N-B, Neighborhood Business. Some discussion followed. The motion carried unanimously.

Mr. Brown made a motion, seconded by Mr. McIntosh, to give first reading of an ordinance to rezone TMS#136-12-04-112, 629 Parkwood Drive, approximately 0.38 acres, and owned by James C. and Tina J. Horne, from GR-5, General Residential (5 units/acre), to N-B, Neighborhood Business. The motion carried unanimously.

Mr. Jackson made a motion, seconded by Mr. Brown, to give first Reading of an Ordinance to approve the renewal of the electric and gas Franchise Agreement with Dominion Energy of South Carolina. Mr. McIntosh made a motion, seconded by Mr. Brown, to amend the agreement to strike 5% and replace with 3%. Town Attorney GW Parker stated that the Town issued bonds based on 5% and that he would like a chance to check with the bond counsel to see if a change to 3% is allowable. Mr. McIntosh made a motion, seconded by Mr. Brown, to postpone the first reading until the March 9, 2023 Council meeting. The motion carried unanimously.

Mr. McIntosh made a motion, seconded by Mr. Touchberry, to postpone first reading of an Ordinance to approve the renewal of the electric Franchise Agreement with Berkeley Electric Cooperative, Inc. The motion carried unanimously.

Mr. McIntosh made a motion, seconded by Ms. Garten-Schmidt, to give first reading to an ordinance authorizing the issuance of a not exceeding \$15,000,000 Waterworks and Sewer System Revenue Bond, Series 2023 of the Town of Summerville, South Carolina. (*For Summerville Commissioners of Public Works*). Some discussion followed. The motion carried unanimously.

MISCELLANEOUS

Mr. Jenkins made a motion, seconded by Mr. Jackson, to approve of CDBG Program Implementation Policies & Procedures. The motion carried unanimously.

Mr. Jackson made a motion, seconded by Ms. Garten-Schmidt, to authorize the Town Administrator to enter into Memorandum of Understanding with Summerville Parks Foundation non-profit organization. The motion carried unanimously.

Mr. McIntosh made a motion, seconded by Mr. Jackson, to authorize the Town Administrator to enter into a Cooperative Intergovernmental Agreement between the Town of Summerville and Dorchester County for the construction and funding of Maple Street Extension. The motion carried 6-0, with Mr. Touchberry recusing himself from the vote for conflict of interest.

Mr. Jenkins made a motion, seconded by Mr. Jackson, for the Town Clerk to ask the State Department of Revenue and Fiscal Affairs to develop a proposed redistricting map for the Town of Summerville. The motion carried unanimously.

PUBLIC COMMENTS (open)

Mayor Ricky Waring opened the floor for public comments for any topic.

Linda Whetsell stated that her electric and gas bill are too high, that the citizens need to be able to pay their electric and gas bills in person in Town, that the business behind her house has loud music after 8:00pm, that a man was urinating behind her house on a Saturday morning, that the Police and Sheriff's office would not respond to her call about the urinating man, that she has dust all over her car from the business behind her house, that her windshields get muddy because of the dust, and that she is tired of calling the Police about things that are going on behind her house.

EXECUTIVE SESSION:

Mr. Jenkins made a motion, seconded by Mr. Brown, to enter into Executive Session to:

- a. Receive legal advice on potential property acquisition on East Carolina Avenue
- b. Receive legal advice on potential property acquisition in Nexton

The motion carried unanimously, and Council entered into Executive Session at 7:42pm.

Council reconvened at 8:18pm. Town Attorney GW Parker stated that Council met in Executive Session to receive legal advice on potential property acquisition on East Carolina Avenue and to receive legal advice on potential property acquisition in Nexton. He stated that no action was taken in Executive Session.

ADJOURN:

Mr. McIntosh made a motion, seconded by Mr. Jenkins, to adjourn. The motion carried unanimously, and the meeting adjourned at 8:19pm.

Respectfully Submitted,



Beth Messervy, Town Clerk

APPROVED:



Ricky Waring, Mayor