

Mayor
Ricky Waring

Council Members:
Bob Jackson
Walter Bailey
Aaron Brown
Terry Jenkins
Kima Garten-Schmidt
William McIntosh



Town Administrator
Rebecca Vance

Town Clerk
Beth Messervy

Town Attorney
G.W. Parker

TOWN of SUMMERVILLE

COUNCIL MEETING MINUTES

June 10, 2021

Amended 7/8/2021

Amended 8/12/2021

ATTENDANCE

Present: Mayor Ricky Waring, Councilmembers Terry Jenkins, Walter Bailey, Kima Garten-Schmidt, Aaron Brown, Bob Jackson and Bill McIntosh. 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

The regular monthly meeting of Summerville Town Council was called to order at 6:02pm on Thursday, June 10, 2021 by Mayor Waring. The meeting was opened with prayer led by Councilman Bob Jackson, followed by the Pledge of Allegiance.

PROCLAMATION PRESENTATIONS

Beth Messervy, the Town Clerk, read a proclamation for Juneteenth.

PUBLIC HEARING FOR PROPOSED BUDGET FOR FISCAL YEAR JULY 1, 2021 – JUNE 30, 2022

Mayor Waring opened the floor to the public for any comments on the budget up for second reading later in the meeting. There being no comments, Mayor Waring closed the public hearing.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

Mr. Jackson made a motion, seconded by Mr. Brown, to approve the minutes of Town Council meeting minutes – May 13, 2021, Special Council Meeting – May 28, 2021, Special Council Meeting #2 – May 28, 2021, and Standing Committee meeting minutes – June 7, 2021. The motion carried unanimously, and the minutes were accepted into record.

PUBLIC COMMENTS (For items on the June 10, 2021 agenda)

C.J. Westfall thanked the Finance Committee for the funding of the Community Resource Center's request for State Accommodations Tax funds.

Mike Taylor spoke in favor of the rezoning of 404 West Richardson Avenue. He is purchasing the property and has requested rezoning to GR-5 so he can subdivide and build his main house. He asked Council to consider approving the rezoning request.

Linda Saylor-Marchant and Violet Saylor thanked Council, Ms. Messervy, and staff for the proclamation of Juneteenth as a “town holiday.” Ms. Saylor-Marchant presented a “Juneteenth ABC” book that was written in quarantine.

PENDING BILLS AND RESOLUTIONS

Mr. McIntosh made a motion, seconded by Mr. Jenkins, to give second and final reading to an ordinance to sell the Town-owned property referenced below in accordance with the Memorandum of Understanding between the Town of Summerville and JJR Development: 213 West Second St. South – TMS# 137-07-04-007; 208 Cedar St., TMS# 137-07-04-005; 210 W. Richardson Ave., TMS# 137-07-04-002. The motion carried unanimously.

Mr. Jackson made a motion, seconded by Mr. Jenkins, to give second and final reading of an ordinance to adopt an operating budget for the Town of Summerville, SC for the fiscal period beginning July 1, 2021 and ending June 30, 2022. Mr. McIntosh stated that the budget that was given first reading that was including in the agenda packet was not balanced. Town Administrator Rebecca Vance explained that the bottom revenue numbers were off by \$500 to match with the expenditures. Some discussion followed. Mr. Jackson made a motion, seconded by Mr. Bailey, to amend the ordinance to be balanced as presented in the strike-through version of the budget given to Council before the meeting. Some discussion followed. The motion to amend carried unanimously. The original motion as amended carried 6-1, with Mr. McIntosh voting in opposition.

Mr. McIntosh made a motion, seconded by Mr. Jenkins, to give second and final reading to the following ordinances as listed on the agenda at one time:

- c) Ordinance to amend Chapter 14 – Fire Prevention and Protection to change the chapter title to “Public Safety.” Some discussion followed. The motion carried unanimously.
- d) Ordinance to amend Chapter 14, Article II, Section 14-42 – Appointment of Officers
- e) Ordinance to amend Chapter 14, Article II, Section 14-44 – Board of Trustees of Firefighter’s Insurance and Inspection Fund;
- f) Ordinance to amend Chapter 14 to add Article III entitled “Police Department” to include new Section 14-49 – Composition and new Section 14-50 – Appointment and Removal of Officers.

The motion carried unanimously.

Mr. Jenkins made a motion, seconded by Mr. Bailey, to give second and final reading to the following ordinances as listed on the agenda at one time:

- g) Ordinance to authorize the Mayor or Town Administrator to execute a quit-claim deed to Mary Jo Swanson for all that certain piece, parcel or lot of land, a 0.11 Acre of land lying adjacent to South Laurel Street and TMS# 137-06-08-009 shown as Parcel A in Square 24 on Detmold's Plan in Summerville. Some discussion followed.
- h) Ordinance to authorize the Mayor or Town Administrator to execute a quit-claim deed to Berniece G. Ball A Life Estate for all that certain piece, parcel or lot of land, a 0.28 Acre of land lying adjacent to South Laurel Street and TMS# 137-06-08-003 shown as Parcel B in Square 24 on Detmold's Plan in Summerville.

The motion carried unanimously.

Mr. McIntosh made a motion, seconded by Mr. Bailey, to give second and final reading of an ordinance to rezone TMS#136-00-00-117, located at 123 Harvest Way, approximately 4.97 acres, and owned by William H. and Laura Ashley White, from PUD, Planned Development District, to GR-2, General Residential. (Council District 4) The motion carried unanimously.

Mr. McIntosh made a motion, seconded by Mr. Bailey, to postpone agenda items j) and k) until the July Council meeting. Agenda items are as follows:

- j) Second and final reading of an ordinance to authorize and establish the "Summerville Open for Business Program" to encourage economic development and private investment in the Town of Summerville, South Carolina, and other matters related thereto.
- k) Second and final reading of an ordinance to establish a Business License Tax Incentive Program to encourage business development and expansion in the Town of Summerville, South Carolina, amending the Town's Code of Ordinances to incorporate such amendments and other matters related thereto.

Mr. Bailey explained that he seconded to postpone because the document is lengthy and Council needs more time to go through the changes from the first reading. Some discussion followed. The motion to postpone carried unanimously.

Mr. Brown made a motion, seconded by Mr. McIntosh, to give second and final reading of an ordinance to annex Dorchester Co. TMS# 136-00-00-105, located at 908 Central Avenue and totaling approximately one (1) acre. Currently zoned CG General Commercial in Dorchester County and will be zoned G-B General Business, upon annexation into the Town of Summerville's municipal limits. (Council District 1). The motion carried unanimously.

INTRODUCTION OF BILLS AND RESOLUTIONS

Mr. Jenkins made a motion, seconded by Ms. Garten-Schmidt for discussion, to give first reading of an ordinance to rezone TMS#137-06-11-002, located at 404 W. Richardson Avenue, approximately 0.60 acres, and owned by William A. & Frances L. Harbeson, from GR-2, General Residential, to GR-5, General Residential. (Council District 2). Mr. McIntosh stated that he is against the rezoning. He explained that he does not have an issue with two lots being on the property, but he is concerned that the owner could put townhouses on it as a conditional use. Mr. McIntosh stated that the BAR and BZA would be in control over such a decision about

a conditional use and that Council would not have a vote on it. Mr. Jackson stated that he would not vote for the rezoning, because there is something like it going on in Oakbrook that he does not like. He explained that this is the first “toe in the door” of the residential areas creeping into the downtown area, pushing higher density. Some discussion followed. The motion failed 1-6, with Mr. Brown voting in favor of the first reading.

Mr. Jackson made a motion, seconded by Mr. Jenkins, to give first reading to an ordinance to amend Chapter 6, Buildings and Building Regulations, Article II, Division I, by adding a new section to be titled Section 6-47 – Unfit Dwellings. The motion carried unanimously.

Mr. Jackson made a motion, seconded by Ms. Garten-Schmidt, to approve a resolution to adopt the 2021 Dorchester County Intergovernmental Hazard Mitigation plan. The motion carried unanimously.

Central Avenue Sidewalk Project: The Public Works Committee voted to move this item to full Council at their meeting on June 8th for further discussion. Mr. Cornette clarified that widening Central Avenue has never been identified as a project from the Town, Dorchester County, or SCDOT. Council and Mr. Cornette discussed how to approach the problem of the donut holes along Phase One of the project not being in Town. Mayor Waring expressed his concern with providing sidewalks for properties that are not in the town limits. Mr. Jenkins made a motion, seconded by Mr. McIntosh, to not build the sidewalk unless all properties along the length of Central Avenue where the sidewalk would be are annexed into Town. Mr. Cornette offered a solution of annexing the right of way, because that is where the sidewalk would be placed. No further discussion on Mr. Cornette’s suggestion. There was no vote on Mr. Jenkins’s motion, and more discussion followed regarding how much money the Town has spent already on the project. Ms. Vance stated that at the April 2019 Finance Committee meeting, Council voted to approve the purchase order to design and permit the sidewalk project. Mr. Jackson made a motion, seconded by Ms. Garten-Schmidt, to move the item to the July meeting so that staff could get numbers together about how much has already been spent on the design and permitting of the Central Avenue sidewalk project. After some discussion, the motion to postpone carried unanimously.

MISCELLANEOUS

Mr. Bailey made a motion, seconded by Mr. McIntosh, to vote on the State Accommodations Tax Advisory Committee’s recommendations for funding by one organization at a time. The motion carried unanimously.

Mr. Bailey made a motion, seconded by Mr. Jenkins, to deny funding to the Community Resource Center for their 2021 Kwanzaa festival. Some discussion followed regarding the history of the organization’s applications for State ATAX funding, as well as about their ability to bring in tourists with their event. Ms. Garten-Schmidt made a motion to amend Mr. Bailey’s motion to give some money to the CRC. No specific amount was given. More discussion was had about the CRC’s past track record with tourists and funding. Mr. Brown a motion, seconded by Mayor Ricky Waring, to amend Mr. Bailey’s motion to give \$15,000 to the Community Resource Center for ATAX funding. Ms. Garten-Schmidt withdrew her motion to amend. Mr. Brown’s motion to amend failed 2-5, with Mr. Brown and Mayor Waring voting in favor of the

\$15,000 for the CRC. Mr. McIntosh made a motion, seconded by Ms. Garten-Schmidt, to amend Mr. Bailey's motion to approve \$2500 for the Community Resource Center. The motion failed 3-4, with Mayor Waring, Ms. Garten-Schmidt, and Mr. McIntosh voting in favor of the motion. The original motion to deny funding, with no amendments, failed 3-4 with Mr. Jenkins, Mr. Bailey, and Mr. Jackson voting in favor of the motion. Mr. McIntosh made a motion, seconded by Mr. Bailey, to move to the next organization. No vote was taken.

Mr. McIntosh made a motion, seconded by Mr. Jenkins, to approve the Dorchester Childrens Advocacy Center's request in full of \$15,000 for State ATAX funds. The motion carried unanimously.

Mr. McIntosh made a motion, seconded by Mr. Jackson, to approve Dorchester Paws' request in full of \$5000 for State ATAX funds. The motion carried unanimously.

Mr. Jackson made a motion, seconded by Ms. Garten-Schmidt, to fund the Flowertown Players' original request of \$12,880 for State ATAX funds. Some discussion followed. The motion carried 6-0, with Mr. McIntosh abstaining as he is on the Board of the organization.

Ms. Garten-Schmidt made a motion, seconded by Mr. Jackson, to fully fund the Public Works Art Center's request of \$12,475 from State ATAX funds. The motion carried unanimously.

Ms. Garten-Schmidt made a motion, seconded by Mr. Jackson, to approve \$23,850 in State ATAX funds to be distributed to the Summerville-Dorchester Museum. Some discussion followed. The motion carried unanimously.

Mr. McIntosh made a motion, seconded by Mr. Brown, to approve \$1000 to the Juneteenth Festival for tourist guides to be distributed through State ATAX Funds. The motion carried unanimously.

Mr. McIntosh made a motion, seconded by Mr. Jackson, to approve \$35,000 in State ATAX funds to be distributed to the Summerville Community Orchestra. Some discussion followed. The motion carried unanimously.

Mr. McIntosh made a motion, seconded by Mr. Bailey, to approve \$10,000 in State ATAX funds to be distributed to the Summerville Evening Rotary. The motion carried unanimously.

Mr. McIntosh made a motion, seconded by Mr. Jackson, to approve \$3100 in State ATAX funds to be distributed to the Timrod Library and Literary Association. The motion carried 6-0, with Mr. Jenkins abstaining as his wife is on the Board of the organization.

Mr. Brown made a motion, seconded by Mr. Jackson, to approve \$1200 in State ATAX funds to be distributed to TMI Productions for jazz in the square. Some discussion followed. The motion carried unanimously.

Mr. McIntosh made a motion, seconded by Ms. Garten-Schmidt, to approve \$5000 in State ATAX funds to be distributed to the Community Resource Center. The motion carried 4-3 with Mr. Jenkins, Mr. Bailey, and Mr. Jackson voting in opposition.

PUBLIC COMMENT (OPEN):

David Neil of 1104 South Main Street stated that the island in the middle of the Highway 17A Amoco Station is a problem. He also expressed his concerns with the safety of the Sawmill Branch Trail and the parking lot on East Richardson for the trail. He stated that the homeless problem in Summerville was becoming a problem.

CJ Westfall stated that all of the Councilmembers made legitimate points in their discussion of the Community Resource Center receiving State ATAX funding. He said that he will relay the items of concern to the CRC.

Cynthia Powell from the State ATAX Advisory Committee stated that she believes that \$2500 for 7 days of Kwanzaa is too little, \$5000 is better, but \$10,000 is more useful for the event. She stated that she is not perpetually advocating for Louis Smith. She also said that she appreciates the opportunity to serve on the ATAX committee, and that it is helpful for organizations who apply to come to the advisory committee meetings.

Naomi Nimmo with the Summerville Community Orchestra answered a few questions that the Council had in regards to their application for State ATAX Funds and how they spent 2020 funds with the pandemic. She also detailed their plans for the upcoming season.

Desiree Day, the new Director of the Summerville-Dorchester Museum, introduced herself and explained some of the new programs that she is implementing in the museum.

EXECUTIVE SESSION:

Mr. Jenkins made a motion, seconded by Mr. Bailey, to enter into Executive Session to discuss

- a) Personnel matter related to appointment to the Design Review Board
- b) To receive legal advice regarding the Employee Handbook
- c) Legal matters related Summit Contracting Group, Inc. appeal of business license fee

The motion carried unanimously, and Council entered Executive Session at 8:16pm.

Council returned from Executive Session at 8:58pm. Town Attorney GW Parker stated that Council met in Executive Session to discuss items a-c on the agenda and that no action was taken.

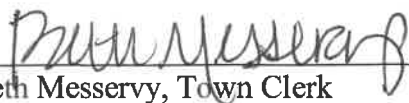
OTHER BUSINESS:

Mr. McIntosh made a motion, seconded by Mr. Jenkins, to appoint Matthew Halter, Sr. to the Design Review Board. The motion carried unanimously.

ADJOURN:

Mr. Jenkins made a motion, seconded by Mr. Bailey, to adjourn. The motion carried unanimously, and the meeting adjourned at 8:59pm.

Respectfully Submitted,


Beth Messervy, Town Clerk

APPROVED:


Ricky Waring, Mayor