

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

July 14, 2022

ATTENDANCE

Present: Mayor Ricky Waring, Councilmembers Kima Garten-Schmidt, Bob Jackson, Aaron Brown, Russ Touchberry, Bill McIntosh, and Terry Jenkins. 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, July 14, 2022. Councilman Bob Jackson gave the invocation, followed by the Pledge of Allegiance.

PROCLAMATION PRESENTATION

Mayor Ricky Waring presented a proclamation to Parks and Recreation Director Amy Evans and her staff to honor Parks and Recreation Professionals Day.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

Mr. Brown made a motion, seconded by Mr. Jackson, to approve the minutes of the June 9, 2022 Council meeting and the Standing Committee Meetings from July 11, 2022. The motion carried unanimously.

PUBLIC HEARING –Mayor Waring opened the public hearing regarding an ordinance approving a proposed fifth amendment to the Nexton Development Agreement by and between NASH-NEXTON Holdings, LLC, and the Town of Summerville, for that certain property (known as Nexton) located along Highway 17A/N. Main St. in the Town of Summerville, South Carolina. Amendments include additional acreage; amended PUD; and amended exhibits. Planning Director Jessi Shuler explained that any amendments to existing PUDs require a public hearing. There being no comments from the public, the Mayor closed the public hearing.

PUBLIC COMMENT – JULY 14, 2022 AGENDA ITEMS

Mayor Waring opened the floor for public comments for items on the July 14, 2022 agenda. There being no one signed up, Mayor Waring closed public comment.

PETITIONS

Mr. Jenkins made a motion, seconded by Mr. Brown, to give first reading to an ordinance to annex Berkeley County TMS#s 221-07-05-132 and 133, Lots 31-A and 31-C (total of 20.833 acres), located along Brighton Park Blvd., currently zoned PD-MU, Planned Development Mixed Use in Berkeley County and will be zoned PUD, Planned Development District upon annexation into the Town of Summerville's municipal limits, and the existing Nexton PUD shall be amended to include this acreage and the additional land use intensities. (Council District 2). The motion carried unanimously.

Mr. Touchberry made a motion, seconded by Ms. Garten-Schmidt, to give first reading to an ordinance to annex TMS# 161-04-03-002, 6.18 acres located on Crosscreek Drive, currently zoned R-4, Multifamily Residential, in Dorchester County and will be zoned UC-MX, Urban Corridor Mixed-Use upon annexation into the Town of Summerville's municipal limits. (Council District 6). The motion carried unanimously.

PENDING BILLS AND RESOLUTIONS

Mr. Brown made a motion, seconded by Mr. Jackson, to give second and final reading of an ordinance to rezone TMS#s 136-12-04-106, 911 D Central Avenue, owned by Gary A. Charpia; and 136-12-04-108, 911 B & C Central Avenue, owned by Leonard A. & Sylvia L. Holmes; two parcels totaling approximately 0.936 acres, from GR-5, General Residential (5 units/acre), to N-B, Neighborhood Business. The motion carried unanimously.

Mr. Jenkins made a motion, seconded by Mr. Jackson, to give second and final reading of an ordinance to amend the Summerville Unified Development Ordinance, Chapter 3, Section 3.3, Table of Permitted Uses, and Section 3.4.3, Lodging. The motion carried unanimously.

Mr. Jackson made a motion, seconded by Mr. Jenkins, to give second and final reading of an ordinance to amend the Summerville Unified Development Ordinance, Chapter 3, Section 3.5.2, Uses Customarily Accessory to Residential Dwellings. The motion carried unanimously.

Mr. McIntosh made a motion, seconded by Mr. Jenkins, to give second and final reading of an ordinance for the sale of 118 W. Richardson Ave for a sum of not less than \$1,100,000 with a Closing date of no later than 9/21/22 and a due diligence period to expire no later than 8/22/22 AND that The Town Administrator be authorized to amend the Contract of Sale to reflect the foregoing. The motion carried unanimously.

Mr. Jackson made a motion, seconded by Mr. Brown, to give second and final reading of an ordinance to amend Chapter 22 - Water Management, Flood Damage Prevention, and Stormwater Management, Section 22-124 - Stormwater control, Item (f) - Minimum runoff control requirements, Subsection (2)(d). The motion carried unanimously.

INTRODUCTION OF BILLS AND RESOLUTIONS

Mr. McIntosh made a motion, seconded by Mr. Jackson, to give first reading of an ordinance approving a proposed fifth amendment to the Nexton Development Agreement by and between NASH-NEXTON Holdings, LLC, and the Town of Summerville, for that certain property (known as Nexton) located along Highway 17A/N. Main St. in the Town of Summerville, South Carolina. Amendments include additional acreage; amended PUD; and amended exhibits. The motion carried unanimously.

Mr. Jackson made a motion, seconded by Mr. McIntosh, to approve a resolution to amend Town of Summerville Organizational Chart to reflect the removal of the positions of GIS Coordinator, Economic Development Manager and Administrative Executive Assistant. Mr. Jenkins stated that the Economic Development position was a Council-driven position and that Council should discuss it after the mid-year budget review. Mr. McIntosh stated that since Ms. Wallace said that she does not intend to fill these positions, that they should come off of the organizational chart. Mr. McIntosh stated that the Economic Development position was driven by former Town Administrator Colin Martin, and not by Council. More discussion followed regarding the need to keep the vacant positions on the organizational chart. The motion carried 5-2 with the Mayor and Mr. Jenkins voting in opposition.

MISCELLANEOUS

Mr. Jenkins made a motion, seconded by Mr. Brown, to authorize the Town Administrator to sign agreement with SCDOT for transfer of S-8-1259, a portion of Holiday Drive and Millhouse Drive, to the Town of Summerville. Ms. Wallace explained that this was a part of the Intergovernmental Agreement between the Town of Summerville and Berkeley County for the Nexton Parkway. Mr. McIntosh asked Town Attorney GW Parker if he had reviewed the IGA, and Mr. Parker stated that he had not. Mr. McIntosh made a motion, seconded by Ms. Garten-Schmidt, to postpone the item until the August Council meeting so that Mr. Parker could review the IGA. The motion carried unanimously.

PUBLIC COMMENTS (open)

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

Linda Whetsell of 108 Atlantic Street stated that the potholes on Germantown Road are too deep; that Parkwood Drive has a large hole before you get to the stop sign; that her neighbors are not reporting to code enforcement the things that are going on on her street; that there was a woman using the restroom in her backyard; that the noise and loud music starting at 7am has been going once since 1999; that there is too much dust; that the garbage trucks are loud; and that the Town needs to be better accommodating to the homeless population.

EXECUTIVE SESSION:

Mr. Jenkins made a motion, seconded by Mr. Brown, to enter into Executive Session to discuss a contractual matter related to School Resource Officer agreement between Town of Summerville and Dorchester District Two and to receive legal advice and discuss contractual matters regarding the sale of Woodlands Barn & Cottage owned by the Town. The motion carried, and Council entered into Executive Session at 6:45pm.

Council reconvened at 7:35pm. Town Attorney GW Parker stated that Council met in Executive Session to discuss a contractual matter related to School Resource Officer agreement between Town of Summerville and Dorchester District Two and to receive legal advice and discuss contractual matters regarding the sale of Woodlands Barn & Cottage owned by the Town. He stated that no action was taken in Executive Session.

OTHER BUSINESS:

Mr. Jenkins made a motion, seconded by Mr. Jackson, to authorize the Town to spend up to \$30,000 to connect the utilities at the Woodlands barn and cottage properly. The motion carried unanimously.

ADJOURN:

Mr. Jenkins made a motion, seconded by Mr. Jackson, to adjourn. The motion carried unanimously, and the meeting adjourned at 7:37pm.

Respectfully Submitted,

APPROVED:

Beth Messervy, Town Clerk

Ricky Waring, Mayor