

*Mayor*  
Ricky Waring

*Council Members:*  
Bob Jackson  
Walter Bailey  
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 November 10, 2021**

#### **ATTENDANCE**

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

The regular monthly meeting of Summerville Town Council was called to order at 6:00pm on Wednesday, November 10, 2021 by Mayor Waring. The meeting was opened with prayer led by Councilmember Aaron Brown, followed by the Pledge of Allegiance.

#### **PROCLAMATION PRESENTATION**

Mayor Waring presented a proclamation for Small Business Saturday to Steve Doniger with DREAM, who was joined by several downtown merchants.

#### **CITIZENS FIRE ACADEMY PRESENTATION**

Battalion Chief Ben Woods gave a brief presentation on the Citizens Fire Academy program is, and how it benefits the Town. Councilmember Garten-Schmidt stated that she is in the current class, and she feels that it would be beneficial for all Councilmembers to sign up for it.

#### **APPROVAL OF MINUTES OF PREVIOUS MEETINGS**

Mr. Jackson made a motion, seconded by Mr. Brown, to approve the combined minutes of the October 14, 2021 Council meeting and the November 8, 2021 Standing Committee meetings. The motion carried unanimously.

**PUBLIC HEARING**

Mayor Waring opened the public hearing for the proposed Development Agreement between the Town of Summerville and Lennar Carolinas, LLC, regarding parcels TMS# 152-00-00-014 and 152-00-00-016, approximately 278.53 acres, located in Dorchester County along the southern side of Dorchester Road near the intersection of Dorchester Road and Orangeburg Road.

A representative from Lennar Carolinas, LLC stated that he has been working with the Town Planning Director, Jessi Shuler, to revise the Development Agreement with Council's input.

There being no further comments, Mayor Waring closed the public hearing.

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

There were no public comments.

**PETITIONS:**

N/A

**PENDING BILLS AND RESOLUTIONS**

Mr. Jenkins made a motion, seconded by Mr. Bailey to postpone second and final reading of an ordinance to annex Dorchester Co. TMS#s 152-00-00-014 and 016, located on Dorchester Road and totaling approximately 278.53 acres. Currently zoned CG, General Commercial and R-4, Multi-family Residential in Dorchester County and will be zoned PUD, Planned Development District, upon annexation into the Town of Summerville's municipal limits. (Council District 5). The motion carried 6-0, with Mr. McIntosh abstaining from the vote (recusal).

**INTRODUCTION OF BILLS AND RESOLUTIONS:**

Mr. McIntosh made a motion, seconded by Mr. Jenkins, to give first reading to an ordinance to amend Town Ordinance Section 2-241 by renaming the same and changing Clerk to Council to Town Clerk and designating Treasurer as a separate officer; Town Ordinance Section 2-291 by renaming the same; and, amend subsections (b) so as to change Clerk to Council to Town Clerk and Finance Director to Director of Finance; and (c) to change Finance Director to Director of Finance and have the Director of Finance also serve as Town Treasurer; and Town Ordinance Section 2-294 to clarify authorized signatures for bank withdrawals and wire transfers. The motion carried unanimously.

Mr. McIntosh made a motion, seconded by Mr. Jackson, to give first reading to an ordinance to amend Chapter 2, Article II, Division 4, Section 2-132(b)&(c)(2) of the Code of Laws of the Town of Summerville to rename the Public Works Committee, the Public Works and Committee on Water Supply and to appoint the Chairman of the Public Works and Committee on Water Supply as an ex-officio member of the Summerville Commissioners of Public Works. The motion carried unanimously.

Mr. Jackson made a motion, seconded by Mr. Bailey, to give first reading to an ordinance to repeal in its entirety Chapter 8-Businesses, Article II-Business and Professional Licenses, Sections 8-31 thru 8-52 and replace them with Chapter 8, Article II, sections 8-31 thru 8-51 (as included in the agenda packet). The motion carried unanimously.

Mr. McIntosh made a motion, seconded by Mr. Jenkins, to give first reading to an ordinance to annex portions of: State Road S-18-59 (Parsons Road), Linning Road, TMS#137-01-00-007 (Tract #6 Leach) and TMS#137-01-00-006 (Tract #7 Miller) pursuant to SC Code ann. §5-3-110. The motion carried unanimously.

Mr. Jenkins made a motion, seconded by Mr. Jackson, to give first reading to an ordinance approving a Development Agreement for Lennar Carolinas, LLC (Shewmaker Tract) or its successor and authorizing the execution and delivery of a Development Agreement and other instruments relating thereto by and between the Town of Summerville and Lennar Carolinas, LLC or its successors. The motion carried 6-0 with Mr. McIntosh abstaining from the vote (recusal).

Mr. Jenkins made a motion, seconded by Mr. Jackson, to give first reading to an ordinance to amend the Future Land Use Map with the Comprehensive Plan “Summerville: Our Town, Our Future,” currently designated as Agricultural Conservation to Neighborhood Mixed Use for parcels 152-00-00-014 and 152-00-00-016 front Dorchester Road. The motion carried 6-0, with Mr. McIntosh abstaining from the vote (recusal).

#### **MISCELLANEOUS**

Mr. Jackson made a motion, seconded by Mr. Brown, to authorize the Mayor and/or Town Administrator to execute a contract with DREAM for the annual service agreement. The motion carried unanimously.

Mr. Jenkins made a motion, seconded by Mr. Jackson, to approve a resolution reestablishing the signers on Town bank accounts. The motion carried unanimously.

Mr. McIntosh made a motion, seconded by Mr. Jackson, to move the following item to Executive Session for legal advice: Authorization to allocate up to \$1,443,604 for premium pay bonuses for essential and front line workers to be paid from American Rescue Plan funds (\$1,346,845) and lost revenue reimbursement (\$96,759). The motion carried unanimously.

Mr. Brown made a motion, seconded by Ms. Garten-Schmidt, to allocate up to \$526,641 to fund a Mental Health Crisis Program for the Summerville Police Department to be paid from American Rescue Plan funds. The motion carried unanimously.

Mr. Jenkins made a motion, seconded by Mr. Bailey, to authorize the Mayor and/or Town Administrator to enter into an agreement with LA Smith Company for the removal of the metal building from Tract 44, TMS 130-10-00-066, part of the North Maple Street project. LA Smith wants to keep the building and move it off of the site. The motion carried unanimously.

#### **PUBLIC COMMENT (OPEN):**

There were no public comments.

#### **EXECUTIVE SESSION:**

Mr. McIntosh made a motion, seconded by Mr. Brown, to enter into Executive Session to receive legal advice related to the proposed employee Covid vaccine policy and to receive legal advice on the allocation of up to \$1,443,604 for premium pay bonuses for essential and front line workers to be paid from American Rescue Plan funds (\$1,346,845) and lost revenue reimbursement (\$96,759). The motion carried unanimously, and Council entered into Executive Session at 6:28pm.

Council reconvened at 6:53pm. Town Attorney GW Parker stated that Council met in Executive Session to receive legal advice related to the proposed employee Covid vaccine policy and to receive legal advice on the allocation of up to \$1,443,604 for premium pay bonuses for essential and front line workers to be paid from American Rescue Plan funds (\$1,346,845) and lost revenue reimbursement (\$96,759). He stated that no action was taken in Executive Session.

**OTHER BUSINESS AS NECESSARY:**

Mr. McIntosh made a motion, seconded by Mr. Jenkins, to not implement the Covid vaccine mandate for Town employees, but rather allocate up to \$1,443,604 of ARP funds to essential and front line Town employees with a full Covid vaccination card. The motion carried unanimously.

**ADJOURN:**

Mr. Jackson made a motion, seconded by Mr. Jenkins, to adjourn. The motion carried unanimously, and the meeting adjourned at 6:56pm.

Respectfully Submitted,

APPROVED:

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Beth Messervy, Town Clerk

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Ricky Waring, Mayor

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