

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

January 12, 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, January 12, 2023. Councilman Russ Touchberry gave the invocation, followed by the Pledge of Allegiance.

PRESENTATION BY SWEET TEA HALF MARATHON COMMITTEE

Kelly Hazel and her committee for the Sweet Tea Half Marathon presented a donation the Town of Summerville Police and Fire Departments, as well as a donation to Dorchester County EMS.

PROCLAMATIONS AND RESOLUTIONS

Mayor Waring presented a resolution of appreciation to Kelly Hazel and the committee for the Sweet Tea Half Marathon, as well as a proclamation for National Human Trafficking Awareness Month.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

Mr. Brown made a motion, seconded by Ms. Garten-Schmidt, to accept the minutes of the December 8, 2022 Council meeting and the January 9, 2023 Standing Committee Meeting minutes.

Mr. McIntosh made a motion, seconded by Mr. Touchberry, to amend the motion so the Clerk could amend the minutes of the December 8, 2022 Council meeting with the amendment to include the names of those appointed to the BAR on the section after Executive Session. The motion carried unanimously.

The original motion as amended carried unanimously, and the minutes were accepted into the record with the correction.

PUBLIC COMMENT – JANUARY 12, 2023 AGENDA ITEMS

Mayor Waring opened the floor for public comments for items on the January 12, 2023 agenda.

Brice Ricker stated that his law firm would like to buy 800 South Main Street, which is on the agenda for rezoning. His plans to renovate the building will stay in line with the same look as the surrounding area. He asked Council to consider approving the rezoning.

Dickie Miler spoke against the potential rezoning of 800 South Main Street, stating that the rezoning would damage the character of the historic Summerville area. He asked Council to reject the rezoning.

Peter Gorman spoke against the potential rezoning of 800 South Main Street, stating that the UDO does not allow a change for any other non-conforming use. He stated that this is spot zoning and that the rezoning sets a bad precedent.

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

PENDING BILLS AND RESOLUTIONS

Mr. Jackson made a motion, seconded by Mr. Brown, to give second and final reading to an ordinance to amend Town Ordinance Chapter 2, Article II, Division 1, Section 2-94 and Section 2-95; Chapter 2, Article II, Division 4; and, Chapter 2, Article III to provide for attendance by virtual/telephonic means at Town Council meetings, special Town Council meetings, Standing Council Committee meetings, Town boards, commissions and committees and that a quorum may be obtained by a member so attending. The motion carried unanimously.

INTRODUCTION OF BILLS AND RESOLUTIONS

Mr. Jackson made a motion, seconded by Mr. Jenkins, to give first 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. Jenkins made a motion, seconded by Mr. Touchberry, to give first 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. Mr. Jackson stated that he is in favor of the rezoning because the owners will preserve the historic building. Mr. McIntosh stated that the rezoning is the only way the building can exist. Mr. Touchberry stated that it is important that the historic buildings in Town be saved and restored and that this rezoning will do that. Mr. Brown stated his concerns with the changes in the old part of Summerville. Ms. Garten-Schmidt stated that she is in favor of the rezoning in

order to preserve the building. Mayor Waring stated that he was against the rezoning. The motion carried 5-2 with Mayor Waring and Mr. Brown voting in opposition.

Mr. McIntosh made a motion, seconded by Mr. Touchberry, to give first reading of an ordinance to amend the Unified Development Ordinance Chapter Thirteen, Section 13.3.5 to provide that the seven-member Design Review Board is to be comprised in, part, of one architect, to include a landscape contractor in Section 13.3.5(b)(2) and three at large seats. The motion carried unanimously.

MISCELLANEOUS

Mr. Jackson made a motion, seconded by Mr. McIntosh, to reappoint John Mott to the Bicycle and Pedestrian Advisory Committee. The motion carried unanimously.

Mr. Jackson made a motion, seconded by Mr. Jenkins, to move the start time from 5:30pm to 1:00pm for the February 6, 2023 Standing Committee Meetings. The motion carried unanimously.

Mr. Brown made a motion, seconded by Mr. Jackson, to execute an agreement concerning Electric Service Rights between Berkeley Electric Cooperative and Dominion Energy of S.C., Inc. The motion carried unanimously.

Mr. McIntosh made a motion, seconded by Mr. Jenkins, to authorize the Town Administrator or Mayor to execute a contract with DREAM for downtown development services for 2023. The motion carried unanimously.

Mr. McIntosh made a motion, seconded by Mr. Jackson, to authorize the Town Administrator or Mayor to sign a Memorandum of Understanding with the Goose Creek Police Department for law enforcement assistance and support. The motion carried unanimously.

Mr. Jackson made a motion, seconded by Mr. Jenkins to accept the banana sculpture for Saul Alexander Park from Sculpture in the South. The motion carried unanimously.

On the agenda item for discussion of hiring a full-time prosecutor, Mr. McIntosh stated that he would personally like to include this in the FY 2024 budget because the Town is moving towards needing the full-time prosecutor. Mr. Jenkins concurred. Mr. McIntosh also stated that the prosecutor position needs be pulled from the Police Department budget and should report to the Town Attorney on the organizational chart. Some discussion followed. No motions were made.

Mr. Jenkins made a motion, seconded by Ms. Garten-Schmidt, to surplus Streets vehicle unit number S91, 1999 Chevrolet medium duty C3500 with mileage of 146,769. The motion carried unanimously.

PUBLIC COMMENTS (open)

Mayor Ricky Waring opened the floor for public comments for any topic. There being none, the Mayor closed public comment.

EXECUTIVE SESSION:

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

- a) Personnel matter related to appointment to Employee Grievance Committee
- b) Contractual and Personnel Matters related to Director of Community and Economic Development
- c) Legal Matters Related to Acquisition of Property (Luke Avenue)
- d) Contractual Matters Related to the Lease/Sublease of Town-owned property at 100 W. Richardson Avenue, Suite C

The motion carried unanimously, and Council entered into Executive Session at 6:51pm.

Council reconvened at 7:46pm. Town Attorney GW Parker stated that Council met in Executive Session to discuss:

- a) Personnel matter related to appointment to Employee Grievance Committee
- b) Contractual and Personnel Matters related to Director of Community and Economic Development
- c) Legal Matters Related to Acquisition of Property (Luke Avenue)
- d) Contractual Matters Related to the Lease/Sublease of Town-owned property at 100 W. Richardson Avenue, Suite C

He stated that no action was taken on any item in Executive Session.

OTHER BUSINESS:

Mr. Brown made a motion, seconded by Mr. Jackson, to appoint James Young to the Employee Grievance Committee to fill the vacant alternate position. The motion carried unanimously.

Mr. Touchberry made a motion, seconded by Mr. Jenkins, to authorize the Town Administrator to execute a search contract for a Director of Community and Economic Development. 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 7:49pm.

Respectfully Submitted,



Beth Messervy, Town Clerk

APPROVED:



Ricky Waring, Mayor