

*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**

**April 8, 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 6:00pm on Thursday, April 8, 2021 by Mayor Waring. The meeting was opened with prayer led by Kima Garten-Schmidt, followed by the Pledge of Allegiance.

#### **PROCLAMATION PRESENTATIONS**

Beth Messervy, the Town Clerk, read aloud a proclamation for Holocaust Remembrance Week, and a proclamation for Donate Life Month.

#### **SPECIAL PRESENTATION**

Mayor Waring presented a resolution to Chief Jon Rogers for his retirement from the Summerville Police Department.

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

Mr. Jackson made a motion, seconded by Mr. Jenkins to approve the minutes of the March 11, 2021 Council meeting; the March 25, 2021 Special Council meeting; and the April 5, 2021 Standing Committee meetings. Mr. Jenkins asked that an error in the March 25, 2021 meeting minutes be corrected in the Adjournment section. Mr. Jackson made a motion, seconded by Mr. Brown, to approve Mr. Jenkins's amendment. The motion on the amendment carried unanimously. The original motion as amended carried unanimously. The Town Clerk made the correction in the March 25, 2021 minutes.

**PUBLIC COMMENT (ITEMS ON THE APRIL 8, 2021 AGENDA)**

George McDaniel stated his concerns with the buffers section of Chapter 11 in the UDO. He would like uniformity in the ordinance and no exemptions for single-family dwellings.

Violet and Linda Saylor asked Council to preserve the equipment from the Laurel Street playground in order to honor Saul Alexander. Violet shared a proposal with Council regarding this topic. Violet then presented a piece of art created by Linda Saylor. Violet thanked Mayor and Council for their recognition of the Holocaust Remembrance Week. Violet asked that the Council consider a Juneteenth proclamation. Councilman Brown requested that the playground equipment preservation be added to the Parks and Recreation Committee for May.

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

**PENDING BILLS AND RESOLUTIONS**

Mr. Jenkins made a motion, seconded by Mr. Bailey, to give second and final reading of an ordinance to repeal Chapter 11 – Water Management, from the Unified Development Ordinance. The motion carried unanimously.

Mr. Jackson made a motion, seconded by Mr. Brown, to give second and final reading of an ordinance to enact a new ordinance, Chapter 22 – Water Management, Flood Damage Prevention, and Stormwater Management. Mr. Jenkins made a motion, seconded by Mr. Bailey, to amend the ordinance to give an exemption to single family residences from the buffer section of the ordinance. Mr. Jenkins stated that Council could revisit that section later. The motion to amend carried 6-1 with Mr. Jackson voting in opposition. The original motion as amended carried 6-1 with Mr. Jackson voting in opposition.

Mr. Bailey made a motion, seconded by Mr. Jenkins, to give second and final reading to an ordinance to amend Chapter 2, Article II, Division 1, Section 2.69-Compensation of Mayor and Members of Town Council. Some discussion followed. The motion carried 5-2 with Mr. McIntosh and Ms. Garten-Schmidt voting in opposition.

Mr. Jenkins made a motion, seconded by Mr. Bailey to postpone until the July Council meeting, the second and final reading of an ordinance to repeal and replace in its entirety the Summerville Unified Development Ordinance adopted October 10, 2019 as last amended December 10, 2020, with former Town Code, Chapter 32, Zoning; Chapter 22, Stormwater Management; Chapter 20, Article II, Planning Commission; and Article III, Development Standards, Section 20-71, Roads; and Chapter 6, Article III, Flood Damage Prevention, as existing upon repeal on October 10, 2019. The motion carried 6-1, with Mr. McIntosh voting in opposition.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

Mr. Jackson made a motion, seconded by Ms. Garten-Schmidt to give first reading of an ordinance to amend Chapter 8 – Businesses, Section 8-33 – Purpose and duration to change the calendar end date from May 31 to April 30. Some discussion followed. The motion carried unanimously.

Mr. Jenkins made a motion, seconded by Mr. Bailey, to give first reading of an ordinance to amend Chapter 8 – Businesses, Appendix A, 8.7 NAICS 524127-Insurance Companies for Article I, Article II, and Article III so that license taxes for insurance companies shall now be due and payable on or before April 30 in each year. Some discussion followed. The motion carried unanimously.

Mr. Jackson made a motion, seconded by Mr. Jenkins, to give first reading of an ordinance to amend Chapter 16 – Offenses and Miscellaneous Provisions, Article I – In General, by adding a new Section 16-18 – Home Detention, to provide for a home detention program as an alternative to incarceration in certain cases in the Town of Summerville. Mr. Bailey made a motion, seconded by Mr. Jenkins, to amend the motion to remove references to non-monitored detention. Some discussion follows. Mr. Bailey made an amendment to his amendment to require the defendant to post expenses associated with detention. Some discussion followed. Mr. Bailey withdrew his motion to amend. The original motion carried unanimously.

### MISCELLANEOUS

Mr. Bailey made a motion, seconded by Ms. Garten-Schmidt, to approve a pay raise for civilian personnel in the Summerville Police Department as recommended by Chief Jon Rogers. The onset date would be the next payroll after April 8, 2021. The motion carried unanimously.

Mr. Jackson made a motion, seconded by Ms. Garten-Schmidt, to approve a contract with Charleston County for single-stream recycling. Some discussion followed. Mr. Bailey made a motion, seconded by Mr. McIntosh, to amend the motion to instead authorize the Town Attorney to prepare a contract with Charleston County to be reviewed by Council. Some discussion followed. The motion to amend carried unanimously. The original motion as amended carried unanimously.

Mr. Brown made a motion, seconded by Mr. Jackson to issue a purchase order in the amount of \$124,206 to Southeast Pipe for supplies to repair three pipes in Corey Woods. Pricing is from a standing contract setup by Dorchester County. Request from Stormwater Department. Funds to come from budgeted Stormwater Control Projects Capital. The motion carried unanimously.

Mr. Brown made a motion, seconded by Mr. Jackson, for the Summerville Police Department to accept grant from Firehouse Subs Public Safety Foundation grant for the requested 16 Zoll AED Plus AEDs & Accessories valued at up to \$21,333.28. The motion carried unanimously.

Mr. Jackson made a motion, seconded by Mr. Jenkins, to approve Dorchester County's Pine Trace Park Master Plan. The motion carried unanimously.

The Town Clerk read a resolution to urge citizens to wear face coverings instead of mandate it. The resolution also stated that private businesses have the right to require customers to wear a face mask as a part of their policy. Though not part of the resolution, it was decided that face coverings are still required in any Town facility, with the Town Administrator having the authority to change the policy. Mr. Jackson made a motion, seconded by Mr. Jenkins to approve the resolution. Mr. Bailey made a motion, seconded by Mr. McIntosh, to amend the resolution to change wording in item #2 to begin with "Town Council recognizes." The motion to amend carried unanimously. The original motion as amended carried unanimously.

Mr. Jenkins stated that John Mott sent an email to the Mayor and Council asking them to consider including Bossua in naming the Town's park on the Ashley River. Mr. Jenkins made a motion, seconded by Mr. Bailey, to name the park "Summerville Ashley River Preserve." The motion carried unanimously.

**PUBLIC COMMENT (OPEN):**

Violet Saylor expressed her concern with the stimulus money being given to the Town from the US Government. She stated that she would like to see it used for public transportation in and out of Summerville.

**EXECUTIVE SESSION:**

Mr. Jenkins made a motion, seconded by Mr. Bailey, to enter into Executive Session to discuss a contractual matter regarding the fire service agreements with Dorchester County.

The motion carried, and Council entered into Executive Session at 7:01pm.

Council returned from Executive Session at 7:15pm. Town Attorney GW Parker reported that no action was taken on the contractual matter regarding the fire service agreements with Dorchester County.

**ADJOURN:**

Mr. Jenkins made a motion, seconded by Mr. Bailey, to adjourn. The motion carried unanimously, and the meeting adjourned at 7:17pm.

Respectfully Submitted,

APPROVED:



Beth Messervy, Town Clerk



Ricky Waring, Mayor