

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

April 14, 2022

ATTENDANCE

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

PROCLAMATION PRESENTATIONS

Mayor Ricky Waring presented proclamations for the Summerville Chamber's 100th Anniversary; Holocaust Remembrance Week; and Public Safety Telecommunicators Week.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

Mr. Jenkins made a motion, seconded by Mr. Brown, to approve the minutes of the March 10, 2022 Council Meeting; the April 4, 2022 Planning and Development Special Meeting; and the April 11, 2022 Standing Committee Meeting. The motion carried, and the minutes were accepted into record.

PUBLIC COMMENT – APRIL 14, 2022 AGENDA ITEMS

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

PETITIONS

Mr. McIntosh made a motion, seconded by Mr. Jenkins, to accept the petition of Petition by Charleston Capital Corporation and approve first reading of an ordinance to annex Dorchester Co. TMS# 145-06-06-004, located off Paradise Point and totaling approximately 1.584 acres. 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 3). The motion carried unanimously.

PENDING BILLS AND RESOLUTIONS

Mr. McIntosh made a motion, seconded by Mr. Brown, to give second and final reading of an ordinance to annex Dorchester Co. TMS#s 145-06-05-006 and 145-10-02-042, located at 227 and 229 Stallsville Loop and totaling approximately 1.10 acres. 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 3). The motion carried unanimously.

Mr. Brown made a motion, seconded by Mr. Jenkins, to give second and final reading of an ordinance to rezone TMS#s 130-00-00-021 and 022, 221-00-00-008, -216, and -217, 730-00-00-021 and -022, located off N. Maple Street, Old Dairy Road, and Bear Island Road, approximately 48.83 acres, and owned by Dustoff22 LLC, from AC, Agricultural Conservation, to G-B, General Business. (Council District 1). The motion carried 5-1 with Mr. McIntosh voting in opposition.

Mr. Jenkins made a motion, seconded by Mr. Touchberry, to give second and final reading of an ordinance to amend the Summerville Unified Development Ordinance, Chapter 2, Section 2.5, Mixed-Use District Standards, and Section 2.7, Conventional District Standards. The motion carried unanimously.

INTRODUCTION OF BILLS AND RESOLUTIONS

Mr. McIntosh made a motion, seconded by Ms. Garten-Schmidt, to send the proposed amendments to Chapter 22 - Water Management, Flood Damage Prevention, and Stormwater Management, Section 22-124 - Stormwater control, Item (f) - Minimum runoff control requirements., Subsection (2) back to the Public Works and Committee on Water Supply for further review and discussion. The motion carried unanimously.

Mr. Jenkins made a motion, seconded by Mr. McIntosh, to give first reading of an ordinance to amend Chapter 12, Article II of the Ordinances of the Town of Summerville by: amending Section 12-31 to add vibration(s); amending Section 12-32 by adding vibration(s); amending Section 12-33 to delete any reference to scientific measurement of decibel level; amending Section 12-34(3) to add vibrations which affect the environment; Section 12-36 to make it mandatory the officer exercise his/her judgment and that any factor may be weighed, add vibration to Subsections (1), (2), (3), (4), (5), (6), and adding new Subsections (7), (8), (9), (10); amending Section 12-37 by adding vibration; amending Section 12-39 by adding vibration; deleting Section 12-40 in its entirety; amending Section 12-41 by adding vibration. The motion carried unanimously.

MISCELLANEOUS

Mr. Jenkins made a motion, seconded by Mr. McIntosh, to give approval to issue a Glock 9mm duty weapon to SPD Lieutenant Michael Gregory upon his retirement from the Summerville Police Department in April 2022. The motion carried unanimously.

Town Clerk Beth Messervy stated that item 9b was inadvertently included on the agenda and that no action was required at this time.

Mr. McIntosh made a motion, seconded by Mr. Jenkins, to approve a purchase order to Collins Engineers in the amount of \$302,530 for the Summerville Preserve Phase II for professional engineering services. Funds to come from Oakbrook TIF. Request from Parks and Recreation Department. The motion carried unanimously.

Mr. McIntosh made a motion, seconded by Mr. Jenkins, to postpone item 9d (purchase order to Design Build in the amount of \$3,903,092 for construction of Fire Station 6) until after the April 21-22, 2022 Budget Retreat, either at the May Finance Committee meeting or a Special Called Council meeting prior to the May Finance Committee meeting. The motion carried unanimously.

In regards to item 9e, discussion of applicability of economic development incentive ordinance to an apartment development in Midtown, Mr. Jenkins stated that he did not believe the intent of the ordinance was to include apartment developments but rather commercial developments instead. Economic Development Manager Michael Lisle answered questions from Council regarding the development, including the zoning (UC-MX) and the developer's plans regardless of Council's decision. Mr. McIntosh expressed his concerns with offering the incentives to an apartment development, stating that incentivizing the affordability of the residential development was not the intent of the economic development incentive ordinance, even though it might be legally stated in the ordinance. Mr. Brown stated that while affordable housing is important, the Town should not feel obligated to give economic development incentives to this project just because the developer could get money from the State for affordable housing. Mayor Waring stated that when Council passed the economic development incentive ordinance, they were talking about giving incentives to commercial developments, not residential developments. He also stated that this would set a precedence for other residential developments to apply for the incentives. Mr. Lisle reported that the fiscal impact analysis of the development shows an almost break even after 20 years. Mr. Touchberry stated that affordable housing is important and that Council should discuss strategies to include affordable housing in the Town. He also stated that he believes the economic development incentive ordinance is a good tool to have, but when used in the correct manner. Mr. Lisle reported that he would take Council's discussion back to the developer.

PUBLIC COMMENTS (open)

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

Linda Whetsell of 108 Atlantic Street voiced her concern with speeding on Marion Avenue, citing a wreck that she witnessed. She also reported that there are wild animals, including Galapagos turtles and snakes, being kept in houses on Atlantic Street. She also voiced her concern about speeding, construction, excessive parking, and loud music on Atlantic Street. Ms. Whetsell requested that Council put the open public comments back at the beginning of the agenda.

William Hamilton with the Best Friends of Lowcountry Transit group stated that he cannot find documentation of the Town supporting an effort to get the Lowcountry Rapid Transit System to establish a stop in Summerville. He stated that the purpose of traffic congestion is to stifle citizens from participating in local government. He also stated that his group has formed a PAC and will continue educating the public on the lack of public transit.

EXECUTIVE SESSION:

There were no items for Executive Session at the April 14, 2022 meeting.

ADJOURN:

Mr. Jenkins made a motion, seconded by Mr. McIntosh, to adjourn. The motion carried unanimously, and the meeting adjourned at 6:48pm.

Respectfully Submitted,

Handwritten signature of Beth Messervy in cursive, written over a horizontal line.

Beth Messervy, Town Clerk

APPROVED:

Handwritten signature of Ricky Waring in cursive, written over a horizontal line.

Ricky Waring, Mayor