

Ricky Waring, Mayor

*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**  
**SPECIAL CALLED COUNCIL MEETING**  
**May 28, 2021**

**CALL TO ORDER**

Mayor Ricky Waring called the Special Called Council meeting to order at 10:01am on Friday, May 28, 2021. The meeting was held in Council Chambers on the third floor of the annex building at 200 South Main Street. The meeting was also livestreamed from the Town's web site.

**ATTENDANCE**

Present: Mayor Waring, Councilmembers Kima Garten-Schmidt, Bill McIntosh, Aaron Brown, Bob Jackson, Terry Jenkins and Walter Bailey. A quorum was met. Staff was also present. Public and press were duly notified.

**FOOD TRUCK ORDINANCE AMENDMENTS**

Mr. Bailey made a motion, seconded by Mr. McIntosh, to amend the Town of Summerville Unified Development Ordinance, Chapter 3 – Use Provisions, Section 3.6 – Temporary Uses, Item G – Mobile Food/Retail Vending, to reflect the following changes:

Item G1: Strike “and Licenses” after “Permits” and before “Required.” Strike “mobile vending permit issued by the Town Staff and a”. Stroke “permit certificates and” after “Approved.”

Item G2: Strike in its entirety

Item G3: Strike in its entirety

Item G4: Strike “the Town Staff” and replace with “Summerville Police Department.”

Item G5: Strike in its entirety

Item G6: Strike “and Recycling Receptacles”. Strike “and/or recycling receptacles”.

Item G7: Strike “have its mobile food vendor permit revoked” and replace with “not be allowed to operate within the Town limit.

Item G8: Strike in its entirety.

Item G9:

Item f) Strike in its entirety

Item h) Strike in its entirety

Mr. Jackson asked if Council could strike “A” on the proposed amendments to the ordinance that Ms. Shuler provided the morning of the meeting. Mr. Brown expressed his concern with “B” in Ms. Shuler’s proposed amendments. Mr. McIntosh called a point of order and stated that Council needs to discuss Mr. Bailey’s amendments since Ms. Shuler’s proposed amendments were not the item in the motion. Ms. Vance asked if Council was agreed upon “allowing food trucks without permits anywhere, anytime, so long as they have DHEC, fire inspection, a business license and nothing after 10pm.” Council confirmed. The motion carried unanimously.

Following the vote, Mr. Bailey asked if Council would consider a motion for a resolution of continued “non-enforcement” of food trucks. Mr. Jackson seconded the motion. Mr. McIntosh asked for an email be sent to residents and food trucks about this issue and have a follow up email sent telling them of Council’s action and to rescind the previous notice. Some discussion followed regarding using the amended ordinance as a pending ordinance under the Pending Ordinance Doctrine. Ms. Vance asked Council to confirm the language of the resolution. Mr. Bailey stated the following for the resolution “Town Council policy of non-enforcement of that Section of the UDO pertaining to food trucks anywhere until such time of second reading of the amending ordinance. The motion carried unanimously.

#### **RFP FOR SUMMERVILLE ASHLEY RIVER PRESERVE**

Mr. McIntosh made a motion, seconded by Mr. Bailey, to accept the winning bid submitted on the RFP for the Summerville Ashley River Preserve. Some discussion followed regarding a timeline of the project. The motion carried unanimously.

#### **DISCUSSION OF PROPOSED BUDGET FOR FISCAL YEAR BEGINNING JULY 1, 2021 AND ENDING JUNE 30, 2022**

Ms. Vance answered questions from Council regarding the proposed budget. Mr. Jenkins left the meeting at 10:30am. Mr. Shelton stated that he would look at a possible mistake in the line item budget during the recess. Ms. Vance continued to ask questions from Council. A complete list of questions and answers is being submitted with these minutes.

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Mr. McIntosh made a motion, seconded by Mr. Bailey, to recess the meeting until after the 11:30am meeting was adjourned. The motion carried unanimously, and the meeting was recessed.


The meeting reconvened at 11:35am. Mr. Shelton stated that he did find an error in the calculation of the line item budget that Mr. McIntosh inquired about, and that he corrected it. Staff answered more questions by Council, which are included in a list submitted with these minutes.

**ADJOURN**

Mr. Jackson made a motion, seconded by Mr. Brown, to adjourn the meeting. The motion carried unanimously, and the meeting adjourned at 11:48am.

Respectfully submitted:

APPROVED:

  
Beth Messervy, Town Clerk

  
Ricky Waring, Mayor

Special Council Meeting, Friday, May 28, 2021 – 10:00 AM

RV: Rebecca Vance

AB: Aaron Brown

TJ: Terry Jenkins

BM: Bill McIntosh

BJ: Bob Jackson

KGS: Kima Garten-Schmidt

WB: Walter Bailey

AS: Andrew Shelton

JS: Jessi Shuler

LL: Lenny Larkin

RW: Chief Waring

**Budget** – RV asked if there were any questions for her or AS

AB asked for explanation for Project Manager position and AE explained.

AB asked if larger project would still need to be outsourced and AE said yes.

AB stated this request was a good idea.

BM had questions about various line item figures. He referenced the 37 million and transfers in to total 43 million and asked what sources were ‘transfers in’

RV referenced last handout / spreadsheet showed this information

\*TJ left meeting 10:30 AM

BM stated property tax amount seemed off/inaccurate maybe not showing all information and seemed to be 3 million shortfall. Asked GWP if after readjourning meeting following next meeting, can this be taken up who responded yes

AS said he will look at the number during the recess

WB asked if they could get an explanation for the other positions like what AE provided

RV responded yes

JS explained the Planner I position

LL explained the Network Administrator position

RW explained the Fire Chiefs positions

BM questioned what the transfer of ‘financing’ meant

RV responded that referred to lease purchasing of capital equipment because the Town no longer had surplus fund balances to pull large amounts from anymore

BM asked when was the last completed audit

RV responded it was for 2019 and explain the unassigned and assigned fund balances

BM asked if this is consistent with Town policy

RV responded yes

BM asked if in this current budget for 2021 or the next budget was fund balance being used to balance the budget

RV responded not for general fund purposes

WB asked if federal money was being budgeted

RV said yes, ARP funds – 1.4 million for capital projects; some for revenue replacement; some for EMT program for the fire department

BM asked if TIF budgeted funds were from Oakbrook or the Midtown TIF

RV responded both

BM asked for an update on the Midtown TIF – timeline and when the Town could expect generating revenues

RV stated she is waiting on comments for the Redevelopment Plan, then there would need to be 2 readings and a public hearing as well as a 45 day period for other taxing authorities to respond. Hope to have first reading in June and potentially start receiving funds from bond in August/September after bond ordinance approved.

BM asked of the 5.3 million transfer, how much is from the midtown TIF  
RV responded 6 million for maple street and 1 million for cedar street  
BM concerned budget balanced on counting revenues that have to be borrowed and counting on future votes or binding council on future votes – adopting a budget based on revenues don't have yet  
RV staff will get breakdown  
KGS asked if the decrease and increase of fees were overlapping for the stormwater fund  
RV explained no  
KGS asked about the solid waste fund what the increase was per residence and if that was for capital equipment  
RV responded \$2.28 per month increase  
RV hospitality tax fund budget does not have to approved by council but staff does an internal budget to help and there is a proposed \$105k for capital project or distribution to outside organizations but need direction from council  
BM asked how much was distributed last year  
RV \$240k in 2020 allocation  
BM asked if any in current 6 month budget  
RV responded none  
BM stated discussion in past was to wean organizations away from this distribution and was looking for a comparable with past decisions. May be ok to do \$105k next budget then \$50k the following budget  
WB stated if the money was needed to balance the budget, then balance the budget  
AB asked if hospitality money was being used for new police officers downtown  
RV stated yes for officers and minor equipment – no vehicles as none were needed

## RECESS

AS stated he rechecked numbers and explained not all of the figures had been pulled into the totals but that has now been corrected.  
BM asked about other financing sources  
AS responded they included lease purchases  
BM asked about the increase from 5.3 to 6.5 million  
AS responded yes  
BM asked if any anticipated TIF funds  
AS responded no  
BM asked that 1<sup>st</sup> reading of budget in May was balanced at \_\_\_\_  
AS and RV both responded but couldn't understand...  
BM stated #s have changed from the first reading  
RV explained number were adjusted to accommodate comments from council  
AB asked if portion of ARP being used to balance budget  
AS responded yes  
AB asked when Town would receive ARP funds  
AS explained process with Dept of Treasury  
BM asked about real property taxes and if staff confident in amount  
AS responded yes, provided information and stated had all 3 counties' information now  
BM asked about business license amount increase and if staff was confident in figures  
AS responded yes, but based on trends and comparisons  
BM asked if it was professional opinion of staff that the budget presented was balanced  
AS responded yes