

Wiley Johnson, Mayor

*Council Members:*

Bob Jackson, Mayor Pro-Tem  
Walter Bailey  
Aaron Brown  
Christine Czarnik  
Kima Garten-Schmidt  
William McIntosh



*Town Administrator*  
Colin L. Martin

*Town Clerk*  
Beth Messervy

*Town Attorney*  
G.W. Parker

Town of Summerville  
**COUNCIL MEETING MINUTES**  
August 8, 2019

**ATTENDANCE**

Present: Mayor Wiley Johnson, Councilmembers Christine Czarnik, Aaron Brown, Kima Garten-Schmidt, Walter Bailey, Bob Jackson and Bill McIntosh. A quorum was present. Town Administrator Colin Martin, Town Clerk Beth Messervy, and Town Attorney G.W. Parker were also present. Public and press were duly notified.

**CALL TO ORDER**

The regular monthly meeting of Summerville Town Council was called to order at 6:00 p.m. on Thursday, August 8, 2019 by Mayor Johnson. The meeting was opened with prayer led by Ms. Dora Ann Reaves, followed by the Pledge of Allegiance.

**APPROVAL OF MINUTES OF PREVIOUS MEETINGS**

Mr. McIntosh made a motion, seconded by Mr. Brown, to approve the combined minutes of the July 11, 2019 Town Council meeting and July 16, 2019 Special Called Council meeting. The motion carried unanimously, and the minutes were accepted into record.

**APPROVAL OF COUNCIL COMMITTEE REPORTS**

Mr. Jackson made a motion, seconded by Mr. Bailey, to accept the combined minutes of the August 5, 2019 meetings of the Parks and Recreation Committee, Planning and Development Committee, Public Works Committee, and Finance Committee. The motion carried unanimously, and the minutes were accepted into record.

**PUBLIC COMMENTS- Items on August 8, 2019 Council Agenda**

Mayor Johnson called for any comments from the public related to items on the Town Council August 8, 2019 agenda.

Robbie Robbins spoke on behalf of Hoyer Investments to ask that Council table item 7c on the agenda, as Hoyer was not able to get the Fiscal Impact Analysis back in time to discuss it with Council.

August 8, 2019

Page 2

Xandrina Riley spoke against the requirement for independent contractors to carry their own liability insurance at the Rollins Edwards Community Center. She is holding a class there for child crisis intervention, and she cannot afford the extra insurance. She also does not believe that her activities would validate having extra insurance.

Tom Conry, representing the Del Webb Nexton community, thanked the Town staff and Hoyer Investments for keeping them informed on the possible annexation of 973 acres near the Del Webb property.

Stan Glenn spoke in favor of the second reading of the rezoning of 602 West 5<sup>th</sup> North Street to B1. He stated that there is no market for single family homes on that section of Highway 78 anymore.

Bob Mendes, the founder of the Junior Jazz Foundation, spoke with concern about the possible requirement for independent contractors to carry their own liability insurance for holding activities at the RECC. He stated that their foundation would not be able to afford it, as they are giving their lessons to children for free.

There being no further comments from the public, Mayor Johnson closed this part of the meeting.

### **PETITIONS**

Mr. McIntosh made a motion, seconded by Mr. Jackson, to approve on first reading of a petition by Iron Gate Homes, LLC to annex Dorchester County TMS# 136-00-00-140 (approximately 3.82 acres), Lots 1 and 2, located at 111 W. Butternut Rd., currently zoned R-4 Multi-Family Residential in Dorchester County and will be zoned R-3 Single-Family Residential Attached Buildings (Lot 2) and B-2 Neighborhood Business Center (Lot 1) upon annexation into the Town of Summerville's municipal limits. (Council District 1). The motion carried unanimously.

### **PENDING BILLS AND RESOLUTIONS**

Mr. Brown made a motion, seconded by Ms. Garten-Schmidt, to approve on second and final reading of an ordinance to rezone TMS# 130-15-04-002, located at 602 W. 5th North Street, approximately 0.81 acres, and owned by Helen Morris Glenn Estate from R-1, Single-Family Residential, to B-1, Residential Business (Council District 1).

Mayor Johnson made a motion, seconded by Mr. Brown, to postpone second and final reading of a Unified Development Ordinance proposed to repeal and replace in its entirety 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 to the September Council meeting. The motion carried unanimously.

Mayor Johnson made a motion, seconded by Mr. Bailey, to postpone second and final reading of an ordinance to annex Berkeley County TMS# 208-00-02-013 (approximately 973 acres) located off of the Nexton Parkway Interchange and Linda Way, currently zoned HI, Heavy Industrial, and Flex1, Agricultural, in Berkeley County and will be zoned PUD, Planned Development District, upon annexation into the Town of Summerville's municipal limits to the September Council meeting. The motion carried unanimously.

Mayor Johnson made a motion, seconded by Ms. Czarnik, to move second and final reading of an ordinance to grant a quit claim deed to Hoover Summerville, LLC for an unopened portion Gum St. Extension, preserving unto the Town a perpetual easement for drainage and public utilities to the September Council meeting. The motion carried unanimously.

### **INTRODUCTION OF BILLS AND RESOLUTIONS**

Mayor Johnson made a motion, seconded by Ms. Czarnik to give first reading to an ordinance to amend Chapter 2, Article V (Finance), Division 2 (Purchasing), Sec. 2-322 by adding subparagraph (6). Mayor Johnson presented the proposed ordinance change to say that if a change order makes the total cost exceed the bid price, staff should ask Council for approval on the change order. Ms. Czarnik stated that it would be helpful to know how often a final contract price varies from the proposed contract price. She also stated the for large projects, staff should give Council a report on the budgeted amount, the bid amount, and the final price. Some discussion followed. The motion carried unanimously.

### **MISCELLANEOUS**

Rebecca Vance with Dorchester County explained further and answered questions regarding the proposed Oakbrook area TIF project between the County, the Town, and Dorchester School District Two. Mr. Jackson made a motion, seconded by Mr. Brown, to adopt a resolution for the Town of Summerville to join the County and School District in the project. The motion carried unanimously.

Doyle Best, Director of Parks and Recreation, discussed the issue of independent contractors at the Rollins Edwards Community Center having their own separate liability insurance policies. Some discussion followed regarding whether or not the Town's liability insurance would cover the activities of the independent contractors, as well as how nonprofits could afford liability insurance if they were only charging a minimal amount for their services at the RECC. Mayor Johnson asked that the topic be put on the agenda for the Special Called Council Meeting – UDO Workshop on August 14, 2019 so that Mr. Best and Town Attorney GW Parker could gather more information regarding what the Town's policy covers. Mr. Brown made a motion, seconded by Mr. Jackson, to not require insurance of nonprofits operating at the RECC. Mayor Johnson stated that the motion was not specific enough. Mr. Brown withdrew his motion, and the Mayor asked that Mr. Best and Mr. Parker come up with a more specific motion for the August 14, 2019 meeting.

Madelyn Robinson, Assistant Town Administrator, reported that she met with Doyle Best and the tourism staff at the Chamber of Commerce to discuss holiday decorations. She proposed that the Town use the holiday banners from 2018 again this year, as they are in good shape. These banners would be on display from mid-November until the end of January. Mrs. Robinson also reported that the Town could purchase patriotic banners using the Town's tourism logo to be displayed from May – September for the patriotic holidays. Some discussion followed. Mrs. Robinson stated that the cost for the holiday banners for the 2019 season would cost between \$1700-\$2000, which does not include installation or storage. The money would come out of the Local Hospitality and Accommodations Tax budget. Mr. Jackson made a motion, seconded by Ms. Czarnik, for the Town Administrator to move ahead with the proposed banner plan. The motion carried unanimously.

**PUBLIC COMMENT (Open):**

Mayor Johnson called for any comments from the public.  
There being no comments, Mayor Johnson closed public comment.

**EXECUTIVE SESSION:**

Town Attorney G.W. Parker explained the topics to be discussed in Executive Session: Legal matter related to condemnation of tracts in the North Maple Street project; personnel matters related to appointment of Associate Municipal judge; legal / personnel matter related to employee disciplinary actions; receive legal advice and update on status of Croft litigation.

Mr. Brown made a motion, seconded by Mr. Jackson, to enter into Executive Session. The motion carried unanimously, and Council entered into Executive Session at 7:03pm.

**OTHER BUSINESS:**

Council reconvened at 8:05pm in Chambers. Town Attorney GW Parker explained that no action was taken on legal matter related to condemnation of tracts in the North Maple Street project; personnel matters related to appointment of Associate Municipal judge; legal / personnel matter related to employee disciplinary actions; receive legal advice and update on status of Croft litigation.

Mr. Bailey made a motion, seconded by Mr. Jackson, to reappoint Greg Hyland to the Associate Municipal Judge position for a term of 4 years. The motion carried unanimously.


**ADJOURN**


There being no further business, the meeting adjourned at 8:07pm on motion of Mr. Brown. The motion carried unanimously.

Respectfully submitted:

APPROVED:

August 8, 2019  
Page 5

  
Beth Messervy, Town Clerk

  
William W. Johnson, Mayor