

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

August 10, 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, August 10, 2023. Councilmember Terry Jenkins gave the invocation, followed by the Pledge of Allegiance.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

Mr. McIntosh made a motion, seconded by Mr. Touchberry, to accept the minutes of the July 13, 2023 Council meeting and the August 7, 2023 Standing Committee Meetings. The motion carried unanimously, and the minutes were accepted into record.

PUBLIC COMMENT - AUGUST 10, 2023 AGENDA ITEMS

Dickie Miler asked Council to not pass the second reading of the ordinance to remove 500 North Main Street from the Midtown TIF district. He stated that Dorchester County will not sell it to a developer if it stays in the TIF and that the new Mayor and new Council should make the decision. He stated that the Town of Summerville should buy the property themselves for a discounted rate so that the Town can decide what happens there.

Adrian Kwist stated that even though Dorchester County owns 500 North Main Street, it should be argued that it doesn't really belong to anyone except the citizens. He stated that he is not against development, but the County's plans for the property would destroy the character of the

Town. He stated that the Mayor and Council should voice their opposition to the County selling to a developer.

Diane Frankenberger stated that while she is against unbridled growth, she does not think that 500 North Main Street falls into this category. She stated that she was part of the group who revitalized the downtown area of Summerville 30 years ago and that new places were built because of the need for them, like what will happen to 500 North Main Street. She said that it is important for the public to have a say, but that they need to do their research on what the plans for the property actually show. She thinks that development of the property is a good thing.

A group of four citizens (Saylor, Smith, Glover, and Marchant) spoke against the building at 500 North Main Street being torn down. The gentleman with the group sang a song. One of the other members of the group stated that buildings being built now are “pieces of plastic” and can be knocked down by hurricanes. She doesn’t want a new development at 500 North Main Street.

Heyward Hutson stated that the removal of 500 North Main from the Midtown TIF district will allow the County to tear down the building. He stated that the property belongs to the citizens. He stated that the Town, Dorchester County, and Dorchester School District Two have run the Town into a massive amount of debt. He stated that the Town should purchase 500 North Main Street and that the County should pay for Maple Street with the penny sales tax.

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

PETITIONS

Mr. Jenkins made a motion, seconded by Mr. Brown, to give first reading to an ordinance to annex TMS#s 145-03-01-005, -006, and -009, located at 207 and 209 Garbon Drive, and totaling approximately 3.2 acres. Currently zoned R-1(M)(A), R-1, and TRM, respectively, in Dorchester County and will be zoned GR-5, General Residential, upon annexation into the Town of Summerville’s municipal limits. (Council District 3). The motion carried 6-0, with Mr. Jackson recusing himself because of interest in the adjacent property.

PENDING BILLS AND RESOLUTIONS

Mr. Jenkins made a motion, seconded by Mr. Jackson, to give second and final reading to release the existing lease and approve the new lease of 100 West Richardson Ave., Suite C. The motion carried unanimously.

Mr. Jenkins made a motion, seconded by Mr. Touchberry, to postpone second reading of an ordinance to Amend the Town Of Summerville Midtown Redevelopment Plan In Order To Remove One Parcel From The Redevelopment Project Area And Making A Specific Finding Of Benefit To The Redevelopment Project Area Of A Town Public Safety And General Administrative Facility; Provide For Notice To Overlapping Taxing Jurisdictions In Connection With The Foregoing; Provide For Publication Of Notice Of Adoption Hereof; And Other Matters Related Thereto until the September 13, 2023 meeting. The motion carried unanimously.

Mr. Brown made a motion, seconded by Mr. Jackson, to give second and final reading to an ordinance to annex TMS#130-10-00-018, located at 518 N. Maple Street and totaling approximately 0.58 acres. Currently zoned OI, Office and Institutional District in Dorchester County and will be zoned N-MX, Neighborhood Mixed-Use, upon annexation into the Town of Summerville's municipal limits. (Council District 1). The motion carried unanimously.

INTRODUCTION OF BILLS AND RESOLUTIONS

Mr. Jackson made a motion, seconded by Mr. Brown, to give first reading to ordinance to amend the Business License Ordinance of the Town of Summerville to update the Class Schedule as required by Act 176 of 2020. The motion carried unanimously.

Mr. Touchberry made a motion, seconded by Mr. Jenkins, to give first reading to an ordinance to correct the Business License Ordinance of the Town of Summerville, Chapter 8, Article II, Appendix A, Class 8 Rates 8.1 so that for each additional \$1,000.00, there will be a charge of \$1.90 versus the incorrect amount of \$1.75. Some discussion followed. The motion carried unanimously.

Mr. Jackson made a motion, seconded by Mr. Jenkins, to give first reading to an ordinance to grant to Dominion Energy, Inc. an easement for the construction and maintenance of overhead and underground electric lines and related equipment at the intersection of South Maple Street and Richardson Avenue, which is owned by the Town. The motion carried unanimously.

Mr. Brown made a motion, seconded by Mr. Touchberry, to give first reading to an ordinance to grant to Dominion Energy, Inc. an easement for the construction and maintenance of overhead and underground electric lines and related equipment at the intersection of West 5th North Street (US Hwy 78) and North Maple Street, which is owned by the Town of Summerville. The motion carried unanimously.

Mr. McIntosh made a motion, seconded by Mr. Touchberry, to give first reading to an ordinance to rezone TMS# 130-10-00-033, located at 823 W. 5th North Street, totaling approximately 1.69 acres, and owned by Dorchester County, from UC-MX, Urban Corridor Mixed-Use, to PL, Public Lands. (Council District 1). The motion carried unanimously.

Mr. Jenkins made a motion, seconded by Mr. Jackson, to give first reading to an ordinance to rezone TMS# 130-10-00-051, located at 603 N. Maple Street, totaling approximately 0.77 acres, and owned by Lawrence and Melissa Lopez Gibson, from N-R, Neighborhood Residential, to N-B, Neighborhood Business. (Council District 1). The motion carried unanimously.

Mr. McIntosh made a motion, seconded by Mr. Jenkins, to deny and reject first reading of an ordinance to amend the Summerville Unified Development Ordinance (UDO) Chapter 10 - Signs, Section 10.5 – Changeable Copy Signs. He stated that ordinance changes directly from citizens should not be on an agenda and that the ultimate decision for agenda items lies with the Mayor. He stated that if a member of the public wants to amend an ordinance, the Mayor or one of the Councilmembers must do it. The motion to deny and reject carried unanimously.

Mr. Jenkins made a motion, seconded by Mr. Jackson, to give first reading to an ordinance to amend the Summerville Unified Development Ordinance (UDO) Chapter 7 – Parking and Driveways, Section 7.3 – Vehicle Parking Location. The motion carried unanimously.

Mr. Jenkins made a motion, seconded by Mr. Touchberry, to give first reading to an ordinance to amend the Summerville Unified Development Ordinance (UDO) Chapter 10 – Signs, Section 10.2.1 – Applicability, Section 10.4.3 – Building Signs Requiring a Permit, Section 10.5 – Changeable Copy Signs, Section 10.8.1 – Incidental Signs, and Section 10.9 – Prohibited Signs. The motion carried unanimously.

Mr. Jackson made a motion, seconded by Ms. Garten-Schmidt, to give first reading to an ordinance to amend the Summerville Unified Development Ordinance (UDO) Chapter 13 – Administration & Procedures, Section 13.3.3 – Board of Zoning Appeals and Section 13.4.2 – Public Notice Requirements. Some discussion followed. The motion carried 6-1, with Mr. McIntosh voting in opposition.

Mr. Jackson made a motion, seconded by Ms. Garten-Schmidt, to give first reading to an ordinance to amend the Summerville Unified Development Ordinance (UDO) Chapter 15 – Definitions, Section 15.3 – Definition of Terms. The motion carried unanimously.

MISCELLANEOUS

Mr. Jackson made a motion, seconded by Mr. McIntosh, to authorize the Town Administrator to enter in an agreement with Dorchester School District 2 for School Resource Officers. The motion carried unanimously.

Mr. Jackson made a motion, seconded by Mr. McIntosh, to authorize the Town Administrator to enter into an agreement with Dorchester School District 2 for a weapons detection canine and officer. The motion carried unanimously.

Mr. Jenkins made a motion, seconded by Mr. Touchberry, to authorize the Town Administrator to sign a Memorandum of Understanding with the Charleston County Sheriff's Office. The motion carried unanimously.

Mr. Jenkins made a motion, seconded by Mr. Touchberry, to authorize the Town Administrator to sign a Memorandum of Agreement with the SC Department of Juvenile Justice. Some discussion followed. The motion carried unanimously.

PUBLIC COMMENTS (open)

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

Andrew Price, the Executive Director of the Summerville Orchestra, announced that the Orchestra is celebrating its 20th season this year, and he listed all that the organization does for the arts community. He extended the invitation to Mayor and Council to attend a concert.

Dickie Miler stated that Chief Doug Wright should be commended on the Dignity Project.

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

EXECUTIVE SESSION:

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

- a) Personnel matter related to vacancy on Municipal Election Commission
- b) Personnel matter related to Town Prosecutor position
- c) Discuss contractual matters and receive legal advice related to municipal public safety facilities

The motion carried unanimously, and Council entered into Executive Session at 7:02pm.

Council returned from Executive Session at 7:58pm. Town Attorney GW Parker stated that Council met in Executive Session to discuss the following and that no action was taken:

- a) Personnel matter related to vacancy on Municipal Election Commission
- b) Personnel matter related to Town Prosecutor position
- c) Discuss contractual matters and receive legal advice related to municipal public safety facilities

OTHER BUSINESS:

Mr. McIntosh made a motion, seconded by Ms. Garten-Schmidt, to appoint Bonnie Ferguson to the Municipal Election Commission to fill the unexpired term of Dean Riegel. The motion carried unanimously.

Mr. Jackson made a motion, seconded by Ms. Garten-Schmidt, to appoint John Rivers as the full-time Town Prosecutor. The motion carried unanimously.

Mr. Touchberry made a motion, seconded by Mr. Jenkins, to authorize the Town Administrator to negotiate a contract with Creech & Associates to update the 2019 study that they prepared and provide necessary services to assist the Town of Summerville in planning for municipal public safety facilities. The motion carried unanimously.

ADJOURN:

Mr. Jenkins made a motion, seconded by Mr. Jackson, to adjourn. The motion carried, and the meeting adjourned at 7:59pm.

Respectfully Submitted,

APPROVED:



Beth Messervy, Town Clerk

Ricky Waring, Mayor