

*Mayor*  
Ricky Waring

*Council Members:*  
Bob Jackson  
Russ Touchberry  
Aaron Brown  
Terry Jenkins  
Kima Garten-Schmidt



*Town Administrator*  
Lisa Wallace

*Town Clerk*  
Beth Messervy

*Town Attorney*  
G.W. Parker

## **TOWN *of* SUMMERVILLE**

### **COUNCIL MEETING MINUTES**

### **September 14, 2023**

#### **ATTENDANCE**

Present: Mayor Ricky Waring, Councilmembers Kima Garten-Schmidt, Bob Jackson (via Zoom), Aaron Brown, Russ Touchberry, and Terry Jenkins. 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, September 14, 2023. Councilmember Kima Garten-Schmidt gave the invocation, followed by the Pledge of Allegiance.

#### **PROCLAMATION PRESENTATION**

Mayor Waring presented the proclamation to recognize National Adult Education and Family Literacy Week.

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

Mr. Jenkins made a motion, seconded by Mr. Brown, to accept the minutes from the August 10, 2023 Council meeting, the August 17, 2023 Special Council meeting, and the September 11, 2023 Standing Committee meetings. The motion carried unanimously.

#### **PUBLIC COMMENT - SEPTEMBER 14, 2023 AGENDA ITEMS**

Dickie Miler stated that the Town needs traffic congestion relief, as well as smart and sensible growth. He also asked Council to not tear down the old hospital at 500 North Main Street. He stated that Council should not take the property out of the Midtown TIF district.

Legare Walker Smith stated that the old hospital at 500 North Main Street is where he was born and Council shouldn't give permission to tear it down. He asked Council to send a message to County Council that the Town says "no" to more development.

Jill Weatherford stated that the annexation and rezoning of on the corner of Gahagan and Garbon Drive puts her family at risk because it is already a dangerous intersection. She stated that allowing the annexation would add to the same overdevelopment and lack of infrastructure. She also stated that 500 North Main Street should be redeveloped, but that the old hospital should not be torn down.

Diane Frankenberger stated that some of the comments made about 500 North Main Street at Town and Council council meetings have been very hurtful and disrespectful. She stated that calling out individuals is wrong. She also stated that the decision to remove 500 North Main Street is about money, but in a good way because the revenue from the property can now go to do good things for the Town.

Steven Wright stated that election season is crazy season and that he is speaking out of obligation. He stated that the Town faces a choice that every town faces, which is growth. He also stated that whether 500 North Main Street is or is not in the Midtown TIF district doesn't determine what happens to the building, and that it only means that the revenue generated by the property after redevelopment will go towards better service provided by the Town.

Russell Peal asked Council to not pass the annexation and rezoning request for the corner of Gahagan and Garbon Drive. He stated that the property is not ready for townhomes with the intersection the way that it is now.

Fleming Moore stated that he is in opposition of the removal of 500 North Main Street from the Midtown TIF District. He said that proponents of the removal argue that this is a revenue issue, but that they are wrong. He stated that leaving the decision of the possible demolition of 500 North Main to the Board of Architectural Review is "cowardess."

Bill McIntosh stated that two of the votes on the agenda would "drive ole' Summerville down." He also stated that the votes to approve the removal of 500 North Main Street from the TIF district gives Dorchester County the "seal of approval" to tear down the old hospital. He expressed his concern with the County's request to put the property into a Multi-County Industrial Park, because it will let the County choose the developer that they want to sell to. He stated that the Town can finish North Maple Street with the money from the TIF.

Megan Grenier asked Council to move the 3 way stop sign at Beaufort and West Carolina to Laurel and West Carolina, and to install a crosswalk at that intersection.

Stuart Courtney stated that the Town needs to put a crosswalk on South Main Street at South Hampton Street, because the School Resource Officers are only there 30 minutes in the morning and 30 minutes in the afternoon. He is concerned about the safety of people crossing there when there is no traffic direction.

Peter Gorman stated that it took a lawsuit to kill the Town’s hotel project and that removing the property at 500 North Main Street is another “back-room deal.” He stated that voters are tired of overdevelopment and that removing the property from the Midtown TIF district allows Dorchester County to give developers tax breaks.

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

### **PETITIONS**

Mr. Jenkins made a motion, seconded by Mr. Touchberry, to give first reading of an ordinance to annex TMS# 152-00-00-269, located along the Sawmill Branch Canal behind 118 Sellars Cir., and totaling approximately 1.8 acres. Currently zoned TRM, in Dorchester County and will be zoned PL, Public Lands, upon annexation into the Town of Summerville’s municipal limits. (Council District 5). The motion carried unanimously.

### **PENDING BILLS AND RESOLUTIONS**

Mr. Jenkins made a motion, seconded by Mr. Touchberry for discussion, to give second and final reading to 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.

Mayor Waring stated that the Town Council does not have anything to do with the plans or demolition of the old hospital at 500 North Main Street and that he is in favor of removing the property from the Midtown TIF district. Mayor Waring stated that he has talked to people that do not oppose the development of the property. He stated that he would vote to approve second reading of the ordinance because it is what is best for the Town, and that it would strengthen the relationship between the Town and Dorchester County.

Mr. Jackson stated that only those people who come to the Council meetings and post on Facebook are the ones that are upset with Council removing the property from the TIF. He said that the old hospital building isn’t functional and that the property could be a lot better value to the Town if it is redeveloped.

Mr. Jenkins stated that the two sides that he is hearing are “total destruction” or “total saving,” and that he believes that the Dorchester County Council will listen to the public before they proceed with any redevelopment plans. He stated that he trusts the County.

Ms. Garten-Schmidt stated that she appreciates the history and architecture of the building and that she did not like the original plan brought forth by County Council earlier this year. She thanked the citizens for speaking during public comment. She stated that she would vote to remove the property from the Midtown TIF district because it is the best thing for the Town. She stated that the development process for the property needs to go slow, and that she would like something left there that preserves it.

Mr. Brown stated that the Town is working with the county to get a good relationship to help the Town's public safety facilities. He stated that Kitty Springs should be recognized and remembered.

The motion carried unanimously.

Mr. Touchberry made a motion, seconded by Mr. Brown, to give second and final reading to an 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. Brown made a motion, seconded by Mr. Jenkins, to give second and final reading to an ordinance to amend 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. The motion carried unanimously.

Mr. Touchberry made a motion, seconded by Ms. Garten-Schmidt, to give second and final 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.

Ms. Garten-Schmidt made a motion, seconded by Mr. Jenkins, to give second and final 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. Touchberry made a motion, seconded by Mr. Jenkins, to defer second and final reading of 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, and for staff to engage SCDOT to get a traffic signal at the corner of Gahagan and Garbon, as well as have staff talk to the developer to make sure that their plans are consistent with the surrounding neighborhoods. The motion carried 5-0, with Mr. Jackson recusing himself because of an interest in an adjacent property.

Mr. Touchberry made a motion, seconded by Mr. Brown, to give second and final 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. The motion carried 5-0, as Ms. Garten-Schmidt was not in the room during the vote.

Mr. Jenkins made a motion, seconded by Mr. Brown, to give second and final 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. The motion carried 5-0, as Ms. Garten-Schmidt was not in the room during the vote.

Mr. Jenkins made a motion, seconded by Mr. Touchberry, to give second and final 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 5-0, as Ms. Garten-Schmidt was not in the room during the vote.

Mr. Jenkins made a motion, seconded by Mr. Jackson, to give second and final 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. Jenkins made a motion, seconded by Ms. Garten-Schmidt, to give second and final 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. The motion carried unanimously.

Mr. Touchberry made a motion, seconded by Mr. Jenkins and Ms. Garten-Schmidt, to give second and final 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. Mr. Jenkins complimented staff on continuing to work through the UDO.

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

n/a

#### **MISCELLANEOUS**

Mr. Touchberry made a motion, seconded by Mr. Jenkins, to move the three way stop from Beaufort/West Carolina to Laurel/West Carolina and add a crosswalk. The motion carried unanimously.

Mr. Jackson made a motion, seconded by Mr. Brown, to open filing for the vacancy of Council District 4 seat from September 25 to September 29. Some discussion followed. The motion carried unanimously.

Mr. Brown made a motion, seconded by Mr. Jenkins, to authorize staff to proceed with the design as presented of the splash pad at Doty Park with a recommendation from the Parks & Recreation Committee. The motion carried unanimously.

Mr. Touchberry made a motion, seconded by Mr. Jenkins, to authorize the Police Chief to enter into Memorandum of Understanding with Dorchester Children’s Advocacy Center for inclusion in the Multidisciplinary Team. The motion carried unanimously.

Mr. Jenkins made a motion, seconded by Mr. Brown, to issue a purchase order to Hale Development LLC in the amount of \$142,979.00 for repairs to the Gahagan Park retaining walls. Sealed bids were collected. Funds to come from budgeted accommodations tax fund balance. Request from Parks and Recreation Department. The motion carried unanimously.

Mr. Jenkins made a motion, seconded by Mr. Jackson, to authorize Town Administrator to Execute Second Amendment to Maple Street Intergovernmental Agreement with Dorchester County. The motion carried unanimously.

Mr. Jackson made a motion, seconded by Mr. Jenkins, to authorize Town Administrator to Execute an Intergovernmental Agreement Containing Terms and Conditions for Consenting to the Inclusion of 500 North Main Street into a Multi-County Industrial Park. The motion carried unanimously.

Mr. Jenkins made a motion, seconded by Mr. Jackson, to pass a resolution consenting to the inclusion of 500 North Main Street in a Multi-County Industrial Park subject to certain conditions. The motion carried unanimously.

Mr. Touchberry made a motion, seconded by Mr. Jenkins , to defer item 9i (CPW property on Stokes Bridge Road) until after the Mayor and Ms. Wallace meet with a representative from CPW. The motion carried unanimously.

Mr. Jackson made a motion, seconded by Mr. Jenkins, to deny the request to grant an affordable housing impact fee exemption of 38 units of the 48-unit complex known as Limehouse Landing (off of Ladson Road) by providing that the developer’s proportionate share of system improvements be absorbed by the Town as an alternate source of funding in accordance with S.C. Code Ann. 6-1-970 and Town Ordinance Sec. 20-107(7). Mr. Touchberry stated that working with regional partners is important, and the Town should not get to hand pick exemptions. The motion carried unanimously.

**PUBLIC COMMENTS (open)**

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

Jennifer Trudeau, representing “Unmask the Lowcountry,” stated that she believes masks should be a choice. She said that there are plenty of studies about the ineffectiveness of masks and they cause a problem with facial recognition systems.

Dickie Miler stated that the Board of Zoning Appeals voted to “not listen to the constituents” of the Brownsville community about a parcel of land in Brownsville. He also stated that the old hospital represents the “heartbeat” of Summerville.

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

**EXECUTIVE SESSION:**

N/A

**OTHER BUSINESS:**

N/A

**ADJOURN:**

Mr. Jenkins made a motion, seconded by Mr. Touchberry, to adjourn. There being no further business, the meeting adjourned at 7:33pm with a unanimous vote.

Respectfully Submitted,

APPROVED:

A handwritten signature in blue ink, reading "Beth Messervy", written over a horizontal line.

Beth Messervy, Town Clerk

A handwritten signature in blue ink, reading "Ricky Waring", written over a horizontal line.

Ricky Waring, Mayor