

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  
**SPECIAL CALLED COUNCIL MEETING**  
**UDO WORKSHOP #26**  
**MINUTES - September 25, 2019**

**Attendance**

Present at call to order: Mayor Johnson, Councilmembers Christine Czarnik, Bob Jackson, Walter Bailey, and Kima Garten-Schmidt. Bill McIntosh arrived a 3:26pm. Mr. Brown was absent. A quorum was met. Public and press were duly notified.

**Call to Order**

The Special Called meeting of Summerville Town Council was called to order at 2:30pm on Wednesday, September 25, 2019 by Mayor Johnson.

**Approval of Minutes**

Mr. Jackson made a motion, seconded by Mr. Bailey, to approve the minutes of the September 18, 2019 Special Called Council Meeting – UDO Workshop #25. Ms. Czarnik noted that in the section about Historic District Guidelines, an item on page 44 needed to be added. The minutes were amended by the Town Clerk. The motion as amended carried unanimously, and the amended minutes were accepted into record.

**Changes and Discussion of Unified Development Ordinance**

Mr. Bailey asked staff for a list of citizens who have contacted staff to ask for their property to remain in the same zone after the adoption of the UDO.

Mayor Johnson asked if the UDO would have to have another public hearing. Ms. Shuler stated that if a new zone is applied to the zoning map, another public hearing must be held.

Mr. Bailey expressed his concern with determining which properties would have the new GR-3 zoning. Some discussion followed regarding the zoning of properties that annex into the Town after the adoption of the UDO. Mr. Jackson stated that Council should add the GR-3 zoning to the UDO now, but wait to apply it only to properties annexing in, pending adoption of the UDO.

Some discussion followed regarding rezoning a property that is in the middle of property of a different zoning. Ms. Shuler and Mr. Tim Macholl explained that, for example, changing a GR-2

zoned property into a GR-3, when the GR-2 land in question is surrounded by GR-2 would be spot zoning. More discussion followed.

***In Chapter 12 – Nonconformities, Section 12.1 – Purpose and Intent, the following changes were made at the request of Council:***

- “Section” was changed to “Chapter”  
(this change is to be applied throughout this chapter)
- “this Code” was changed to “the UDO”  
(this change is to be applied throughout the chapter)
- “and to bring about their eventual elimination” was removed

***In Chapter 12 – Nonconformities, Section 12.3.1 – Modifications to Nonconformities, the following changes were made at the request of Council:***

- B1: “more” was changed to “no less”
- B1: “or previous” was added after “existing”
- B2: “or previous” was added after “existing”
- C: “a prescribed” was changed to “as prescribed”

***In Chapter 12 – Nonconformities, Section 12.3.3 – Abandonment/Discontinuance, the following changes were made at the request of Council:***

- “the Administrator” was changed to “Town staff”  
(this change is applied throughout the UDO)
- Item A, number 6, part (a) - “or other circumstances” was removed at the end of the sentence, and “or” was added before “documented vacancy”
- Item A, number 1 – Deleted in its entirety

### **Mayor’s Comments**

Mayor Johnson introduced a resolution regarding the proposed widening of Highway 61 and encouraged Council to read it. He also spoke about Kiawah Island’s change of ordinance regarding rental property: short term rentals, time shares, and club rentals.

### **Executive Session**

Mr. Jackson made a motion, seconded by Ms. Garten-Schmidt, to enter into Executive Session to discuss legal advice regarding pending litigation on E911 case and personnel matter related to hiring of Stormwater Manager. The motion carried unanimously, and Council recessed for Executive Session at 4:03pm.

**Miscellaneous / Other Business**

Council reconvened from Executive Session at 4:29pm. Town Attorney GW Parker stated that no action was taken on legal advice regarding pending litigation on E911 case or personnel matter related to hiring of Stormwater Manager.

Mr. McIntosh made a motion, seconded by Mr. Bailey, for Council to approve the settlement of the E911 litigation consistent with the terms of the mediated settlement agreement that is subject to Town Council approval. The motion carried unanimously.

Mr. Bailey made a motion, seconded by Mr. Jackson, to approve the hiring of Ryan Dews as Stormwater Manager. The motion carried unanimously.

**Adjourn:**

Mr. Jackson made a motion to adjourn, seconded by Mr. Bailey. The meeting adjourned at 4:31pm.

Respectfully submitted,

APPROVED:

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Beth Messervy, Town Clerk

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William W. Johnson, Mayor