

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 March 9, 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, March 9, 2023. Councilman Terry Jenkins gave the invocation, followed by the Pledge of Allegiance.

PROCLAMATION PRESENTATIONS

Mayor Pro Tem Bob Jackson presented proclamations for Women in Construction Week, Bleedings Disorders Awareness Month, Red Cross Month, and Youth Art Month.

PUBLIC HEARING

Mayor Waring opened the public hearing for input on the proposed redistricting map and plan as presented in the agenda packet. There being no comments from the public, Mr. Jackson made a motion, seconded by Mr. McIntosh, to close the hearing. The motion carried unanimously, and the Mayor closed the public hearing.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

Mr. McIntosh made a motion, seconded by Mr. Brown, to approve the minutes of the February 9, 2023 Town Council meeting and the March 6, 2023 Standing Committee meetings. The motion carried unanimously, and the minutes were accepted into record.

PUBLIC COMMENT – MARCH 9, 2023 AGENDA ITEMS

Mayor Waring opened the floor for public comments for items on the March 9, 2023 agenda.

Jean Osoen, who lives in the Bridges of Summerville, expressed her concern about people getting out of the homeless shelter and posing a threat to the public.

Steve Negri stated that he is concerned with how the Dorchester County Community Outreach shelter on Miles-Jamison Road would be integrated with the surrounding residential neighborhoods. He recognized that the DCCO has the proper zoning from Dorchester County, so it will be built with or without the annexation. Mr. Negri then stated that he advocates for the annexation so that the area is serviced by Town public safety.

Holly Bourque stated that she was in favor of the amendment to the UDO allowing permitting and zoning for Event Venues, as she would like to rent out her house for weddings. Ms. Bourque did ask Council to consider increasing the number of events allowed per year.

Deb Campeau stated that the Franchise Fee Agreements with Dominion Energy and Berkeley Electric Cooperative were important because the funds collected from the agreements would be able to be used to preserve the Town's tree canopy. She also stated that the Town should use the Tree Protection Board for long term planning for the tree canopy.

Trish Richardson, owner of Bella Pazza Salon, stated that she would like to sublease her space at 100 West Richardson Avenue, Suite C (owned by the Town) to Hannah and Harley Edwards for a coffee shop. Mr. and Mrs. Edwards explained that they would like to have a small café in the space that is different from other coffee shops in Summerville.

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

PETITIONS

Mr. Touchberry made a motion, seconded by Mr. Jenkins, to give first reading to an ordinance to annex TMS#146-14-00-009, located on Jamison Road and totaling approximately 3.45 acres. Currently zoned CG, General Commercial, in Dorchester County and will be zoned G-B, General Business, upon annexation in the Town of Summerville's municipal limits. Mr. Jackson stated that the Summerville police and fire departments can respond quicker if the property is annexed. Mr. McIntosh stated that the Dorchester County Community Outreach already has the zoning in the County that they need to build a homeless shelter on the site. He also stated that the new fire station is being built across the street from the annexed property and that the Summerville police are closer to respond. Mr. Touchberry stated that in speaking with the Summerville Place HOA, the building requirements of the DCCO shelter will be beneficial to the surrounding residents. Mr. Brown stated that the Town needs to address the lack of sidewalks, lighting, and infrastructure in the area of the potentially annexed property. The motion carried unanimously.

PENDING BILLS AND RESOLUTIONS

Mr. Jenkins made a motion, seconded by Mr. Touchberry, to give second and final reading to an ordinance to annex Dorchester County TMS# 152-00-00-051, 3.83 acres located off Flood Heirs Road, currently zoned MUC, Mixed Use Community District, in Dorchester County and will be zoned UC-MX, Urban Corridor Mixed-Use, upon annexation into the Town of Summerville's municipal limits. Ms. Garten-Schmidt stated that she spoke with the representative for the developer and will vote for first reading, but she still has a few concerns about the commercial portion of the development. Mr. McIntosh stated that he is voting against the second reading because the property is not an urban corridor and is outside of the Town's planning area. He also stated that the Town need to stop annexing and making town boundaries so "bizarre" with no

monetary benefit to the Town. Mr. Brown stated that he agrees with Mr. McIntosh on some points. He said that the Town needs to look to the future to see if these annexations will be profitable to the Town. Mr. Jackson stated that the Town does need to annex this property because the Town holds higher standards of design than the County does. Mayor Waring stated that he is for the annexation, because the Town needs to take control of the standards by being the entity that annexes the properties and manages the project design. The motion carried 5-2 with Mr. McIntosh and Mr. Brown voting in opposition.

Mr. Jenkins made a motion, seconded by Ms. Garten-Schmidt, to give second and final reading to an ordinance to annex Dorchester County TMS# 152-01-02-007, 13.24 acres located at 116 Flood Heirs Road, currently zoned R-1, Single-Family Residential, in Dorchester County and will be zoned UC-MX, Urban Corridor Mixed-Use, upon annexation into the Town of Summerville's municipal limits. The motion carried 5-2 with Mr. McIntosh and Mr. Brown voting in opposition.

Mr. Jenkins made a motion, seconded by Mr. McIntosh, to give second and final reading to an ordinance to rezone TMS#137-09-01-057, located on Central Avenue, approximately 2.98 acres, and owned by 725 Central LLC, from PUD, Planned Development District, to N-B, Neighborhood Business. Mr. Brown stated that the Town needs to look for more affordable housing option. The motion carried 6-1, with Mr. Brown in opposition.

Mr. Brown made a motion, seconded by Mr. McIntosh, to give second and final reading to an ordinance to rezone TMS#136-12-04-112, 629 Parkwood Drive, approximately 0.38 acres, and owned by James C. and Tina J. Home, from GR-5, General Residential (5 units/acre), to N-B, Neighborhood Business. The motion carried unanimously.

Mr. McIntosh made a motion, seconded by Mr. Jackson, to give second and final reading to an ordinance authorizing the issuance of a not exceeding \$15,000,000 Waterworks and Sewer System Revenue Bond, Series 2023 of the Town of Summerville, South Carolina. The motion carried unanimously.

Mr. McIntosh made a motion, seconded by Ms. Garten-Schmidt, to give second and final reading to an ordinance to amend the Unified Development Ordinance Chapter Thirteen, Section 13.3.5 to provide that the seven-member Design Review Board is to be comprised in, part, of one architect, to include a landscape contractor in Section 13.3.5(b)(2) and three at large seats. The motion carried unanimously.

INTRODUCTION OF BILLS AND RESOLUTIONS

Mr. Jenkins made a motion, seconded by Mr. Touchberry, to give first reading to an ordinance to approve the renewal of the electric and gas Franchise Agreement with Dominion Energy of South Carolina. Mr. McIntosh stated that when the Town raised the franchise fees from 3% to 5% in 2012 under Mayor Collins, the 2% addition was supposed to go towards a road construction fund, but that it never worked out that way. Mr. McIntosh made a motion to amend the ordinance to reduce the 5% rate to 3%. There being no second on Mr. McIntosh's motion, the motion failed. Mr. Jackson stated that the Town did build Bear Island Road, and that if the franchise fee rate is cut to 3%, the Town will have to take money from other funds to pay for roads. Mr. Jenkins stated that the 2% difference in the franchise fees raises \$1.4 million per

year, which the Town uses to pay the \$1.25 million per year bond for road construction. Some discussion followed. The motion carried unanimously.

Mr. Jenkins made a motion, seconded by Ms. Garten-Schmidt, to give first reading to an ordinance to approve the renewal of the electric Franchise Agreement with Berkeley Electric Cooperative, Inc. The motion carried unanimously.

Mr. McIntosh made a motion, seconded by Mr. Brown, to give first reading to an ordinance to reduce the Millage Rate for ad valorem Property Taxes In the Town of Summerville. Mr. McIntosh stated that in 2022, Council increased the millage rates by 6.5 mills on a verbal amendment to the budget and without a completed audit from the previous fiscal year. He stated that the Town is actually running a \$9 million surplus and that increased property tax rates do not equate to increased revenues. Mr. Jackson stated that the Town should not consider reducing taxes before a budget for FY 23-24 is presented to Council. He also stated that he does not think that the Summerville residents want second rate public safety, which is what they would get if the tax rate decreases and the Town cannot pay for premium services for its citizens. Mr. Jackson said that the Town needs to move forward with infrastructure and expand its public service by continuing with the current millage rate of 66 mills. Ms. Garten-Schmidt stated that while reducing the tax rate sounds like a good idea, she would like more information on the budget and audit before making such a decision. Mr. Touchberry stated that while he would like to be able to reduce millage “at will,” the Town Council was placed in a position to be good stewards of the citizens. He stated that Council was presented first with a budget balanced by using American Rescue Plan Act funds, a practice that he said is dangerous to the Town’s bond rating. Mr. Touchberry stated that the Town needs to keep the millage as it is now in order to keep our high standard of public safety and other services. He said that now is not the time to change millage. Mr. Jenkins stated that while \$9 million in surplus sounds like a large amount, \$4 million of the \$9 million is designated for emergencies. He also stated that last year, Council had zero capital purchases in the budget and very poor wage increases for the Town’s employees, putting the Town well behind other municipalities. Mr. Touchberry praised the Town staff, especially the public safety departments, and that it is “disgraceful” to not give the staff a raise in pay during a time of inflation and increased cost of living. Mr. McIntosh stated that Goose Creek and Mount Pleasant are the Town’s closest comparable neighbors in terms of size, and that both municipalities have millage rates lower than that of the Town of Summerville. He stated that cutting taxes increases revenues. Mr. Jenkins stated that both Goose Creek and Mount Pleasant benefit from a 1% Local Option Sales Tax, a revenue source that the Town of Summerville has very little of, making the comparison between the Town and the two other municipalities invalid. Mayor Waring called for the vote, and the motion to give first reading to the reduced millage ordinance did not pass, with Mr. McIntosh, Ms. Garten-Schmidt, and Mr. Brown voting in favor of the ordinance.

Mr. Brown made a motion, seconded by Mr. McIntosh, to give first reading to an ordinance to adopt a redistricting plan for Council Single Member Districts in the Town of Summerville. Mr. McIntosh stated that two minor changes had been made to the map after it was published in the agenda packet, and that the two changes do not affect those boundaries, but were not included in the 2020 census. The motion carried unanimously.

Mr. Jenkins made a motion, seconded by Mr. Brown, to give first reading to an ordinance to amend the Unified Development Ordinance (UDO), 13.3.4, Tree Protection Board (TPB) by: more fully setting forth the authority under which the TPB was created; clarify the section under which an administrative review is appropriate; and, add a new section 13.3.4(C)(5) Appeals from Decisions of the TPB. The motion carried unanimously.

Mr. McIntosh made a motion, seconded by Mr. Jenkins, to give first reading to an ordinance to amend the Unified Development Ordinance, Chapter 3, to provide an “Event Venue” use and provide for the districts in which it is allowed in Section 3.3, and to provide for the applicable conditions to allow the use in Section 3.4. Mr. Jackson stated that he would like more information from the residents who want to use their homes as event venues before second reading. The motion carried unanimously.

Mr. Brown made a motion, seconded by Mr. Jenkins, to give first reading to an ordinance to amend the Unified Development Ordinance, Chapter 13, Section 13.8.2(A)(4) to exclude demolition of noncontributing accessory structures. The motion carried unanimously.

Mr. Jackson made a motion, seconded by Mr. Touchberry, to give first reading to an ordinance to amend the Unified Development Ordinance, Chapter 15, Definitions, to provide the definition for “Event Venue” and correct the definition for “Utility Pole.” The motion carried unanimously.

MISCELLANEOUS

Mr. McIntosh made a motion, seconded by Mr. Jackson, to authorize the Town Administrator to sign a Memorandum of Understanding between the Summerville Police Department and the North Myrtle Beach Police Department for assistance with the Memorial Day bike festival in North Myrtle Beach. The motion carried unanimously.

Ms. Wallace explained that the Dorchester Senior Center and Dorchester County have asked the Town to extend its lease with the County for the land on which the Senior Center sits until 2042. Mr. McIntosh made a motion, seconded by Mr. Jackson, to table the issue. Mr. Touchberry asked if the Senior Center or Dorchester County was on a strict timeline for this consideration, and Mr. McIntosh stated that the Senior Center currently has 3 years left on their lease of the building through the County. The motion to table carried unanimously. (The item was not taken up again during the March 9, 2023 meeting).

PUBLIC COMMENTS (open)

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

Kathy Hodge with the Clemson Extension’s Dorchester County Master Gardener Program asked Council to consider allowing the organization to utilize office space provided by the Town at no charge. She stated that during the Farmer’s Market, the Master Gardener booth gets between 50 and 100 visitors each week. She said that if the Town could not provide free office space, then she is open to any ideas that Council may have to accommodate the organization.

Linda Whetsell of 108 Atlantic Street stated that the Town cleaned the ditch without waiting for any debris to be in it, that there is still noise and dust from the businesses behind her house, that the picket fence in her backyard does not keep the noise and dust out, that the Lowcountry Fish Camp is a danger to pedestrians and motorists, that the mosquitoes on her street need to be taken care of, and that the Town should honor two black midwives who passed recently.

Matthew Lightsey stated that he was surprised to find that it is a misdemeanor in the Town of Summerville to roller skate or skateboard on any public street or sidewalk, as well as to ride a bike or scooter on a sidewalk. He asked Council to consider amending the ordinance because it is antiquated and out of date.

Chris McClure stated that the Town needs to be mindful of overdevelopment, that the Town needs more affordable housing, that traffic can be fixed by strategies such as synchronized stoplights, and that the Town needs to increase the awareness of bicycle and pedestrian safety.

Eddie Bines commended the Mayor and Council for giving first reading to the ordinance to adopt a redistricting plan for the Council districts. He urged Council to “stand tall and be firm” and pass the ordinance at second reading.

EXECUTIVE SESSION:

Mr. Jenkins made a motion, seconded by Ms. Garten-Schmidt, to enter into Executive Session to discuss contractual matters related to the lease at 100 West Richardson Avenue, Suite C; personnel matters related to the Fire Department; and personnel matters related to the search for a Director of Economic and Community Development. The motion carried unanimously, and Council entered into Executive Session at 7:56pm.

Council returned from Executive Session at 8:30pm. Town Attorney GW Parker stated that Council met in Executive Session to discuss contractual matters related to the lease at 100 West Richardson Avenue, Suite C; personnel matters related to the Fire Department; and personnel matters related to the search for a Director of Economic and Community Development, and that no action was taken in Executive Session.

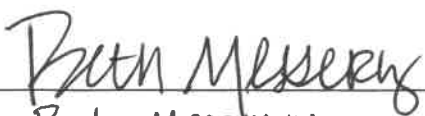
OTHER BUSINESS:

Mr. Jenkins stated that Fire Chief Richard Waring informed Council of his decision to retire at the end of June 2023. Mr. Jenkins made a motion, seconded by Mr. Jackson, to accept Chief Waring’s recommendation of Chief Brent Melcher for the Fire Chief position, effective July 1, 2023. The motion carried unanimously.


ADJOURN:

Mr. Brown made a motion, seconded by Mr. McIntosh, to adjourn. The motion carried unanimously, and the meeting adjourned at 8:33pm.

Respectfully Submitted,


Beth Messervy
Town Clerk

APPROVED:


Ricky Waring
Mayor