

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

May 11, 2023

ATTENDANCE

Present: Mayor Ricky Waring, Councilmembers Kima Garten-Schmidt, Bob Jackson (via Zoom), 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, May 11, 2023. Councilmember Kima Garten-Schmidt gave the invocation, followed by the Pledge of Allegiance.

PROCLAMATION AND RESOLUTION PRESENTATIONS

Mayor Waring presented proclamations for Public Works Appreciation month and National Tennis month, as well as resolutions for Holocaust Remembrance and Town Staff member Dan Corbin's retirement.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

Mr. Jenkins made a motion, seconded by Mr. Brown, to approve the minutes of the April 13, 2023 Council meeting, the April 20-21, 2023 Special Called council meetings (budget retreat), and the May 8, 2023 Standing Committee meetings. The motion carried unanimously, and the minutes were accepted into record.

PUBLIC COMMENT – MAY 11, 2023 AGENDA ITEMS

Dickie Miler spoke in support of the proposed ordinance amending the UDO to decrease the maximum height of buildings in DM-X zoning from 55 feet to 47 feet. He stated that he does not want Summerville to be unrecognizable like Mt. Pleasant is now and that the Town needs to

preserve the character of the neighborhood with a reduced building height restriction. Mr. Miler also asked Council to reconsider the condemnation of 205 and 209 West Luke Street, allowing time for appraisals and for the titles to be cleared.

Sam Swails asked Council to reconsider pursuing the condemnation of 205 and 209 West Luke Street. He stated that his family-owned construction business owns part of both properties, which are their plan for the future. Mr. Swails stated that the UDO dictates what can be built there, and that the title problems can be cleared with a real estate attorney.

Asha Ellington asked Council to reconsider pursuing condemnation of 205 and 209 West Luke Street, as she is one of the family members who owns part of the properties.

Willie Ellington asked Council to reconsider pursuing condemnation of 205 and 209 West Luke Street.

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

PETITIONS

n/a

PENDING BILLS AND RESOLUTIONS

Mr. McIntosh made a motion, seconded by Mr. Touchberry, to give second and final reading to an ordinance to annex TMS#220-00-02-147, located on N. Maple Street and totaling approximately 10.34 acres. Currently zoned PD – OP/IP, Planned Development – Office Park/Industrial Park, in Berkeley County and will be zoned G-B, General Business, upon annexation into the Town of Summerville’s municipal limits. The motion carried unanimously.

Mr. Jenkins made a motion, seconded by Mr. McIntosh, to give second and final reading to an ordinance to amend Chapter 8, Article II, Section 8-42(2) to exclude business licenses for insurers, insurance brokers, and telecommunication from the one-month interest free grace period for non-payment of business license taxes. Some discussion followed. The motion carried 6-1 with Mr. Brown in opposition.

Ms. Garten-Schmidt made a motion, seconded by Mr. Touchberry, to give second and final reading to an ordinance authorizing and directing the Town of Summerville to enter into an Intergovernmental Agreement relating to South Carolina Local Revenue Services; to participate in one or more local revenue service programs; to execute and deliver one or more participant program supplements; and other matters relating thereto. The motion carried unanimously.

Mr. McIntosh made a motion, seconded by Mr. Jenkins, to give second and final reading to an ordinance to rezone TMS#232-00-02-131, located on Marymeade Drive and Angus Drive, approximately 12.983 acres, and owned by Invesco LP, from L-I, Light Industrial, to G-B (General Business). (Council District 2). The motion carried unanimously.

INTRODUCTION OF BILLS AND RESOLUTIONS

Mr. Jenkins made a motion, seconded by Mr. Brown, to give first reading to an ordinance to adopt an operating budget for the Town of Summerville, SC for the fiscal period beginning July 1, 2023 and ending June 30, 2024. Mr. McIntosh stated that he would vote for first reading of the ordinances, but is not sure about second reading. He stated that he does think that a millage reduction could be included while still keeping the 8% pay raise for employees. The motion carried unanimously.

Mr. Jenkins made a motion, seconded by Ms. Garten-Schmidt, to give first reading to an ordinance to amend Chapter 2 – Administration; Article II – Mayor and Council; Division 2 – Mayor; Section 2-63 – Authority to set meeting agenda. 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 amend Chapter 10 – Elections; Section 10-4 – Filing by candidates, Subsection (a). The motion carried unanimously.

Mr. Touchberry made a motion, seconded by Mr. Jenkins, to give first reading to an ordinance to amend the Unified Development Ordinance, Chapter 5, Section 5.11.2 Required Improvement for Final Plat Approval, Subsection (A) to clarify the process in relation to the permit to operate (PTO) the water and sewer system. The motion carried unanimously.

Mr. Jenkins made a motion, seconded by Mr. Jackson, to give first reading to an ordinance to amend the Unified Development Ordinance Chapter 13, Section 13.6.1 Pre-Application Conference, Subsection (A) Mandatory Pre-application Conference to include all subdivision review. Some discussion followed. The motion carried unanimously.

Mr. McIntosh made a motion, seconded by Mr. Brown, to give first reading to an ordinance to amend the Unified Development Ordinance (UDO) Chapter Two, Section 2.5(5)(a), Primary Building Height, Downtown Mixed-Use (D-MX) to reduce the maximum height from 55 feet to 47 feet. Mr. McIntosh stated that his intent when developing this amendment was to focus on the Hutchinson Square area, not 500 North Main Street. Some discussion followed about how to measure buildings (stories versus feet). Some discussion followed regarding giving first reading to the ordinance so that a public hearing could be held by the Planning Commission. The motion failed 2-5, with Mr. McIntosh and Mr. Brown voting in favor of first reading.

MISCELLANEOUS

Mr. Jenkins stated that postponing the condemnation suits against 205 and 209 West Luke Street is a good idea so that the owners could clean up the title. He also stated that he would like the Town to have first right of refusal to purchase the property should the owners list it. Mayor Waring stated that there was no way that the titles on either property could be cleaned up in 6 months. Mr. McIntosh made a motion, seconded by Ms. Garten-Schmidt, to withdraw the authorization for the Town Attorney to proceed with condemnation of 205 and 209 West Luke Street. Some discussion followed. The motion carried unanimously.

Mr. Jackson made a motion, seconded by Ms. Garten-Schmidt, to “approve.” Mr. McIntosh stated that there is no proposal (on Parks and Impact fees) that has been given to Council, only various options to choose from. Mr. Jackson clarified that his motion is to eliminate all discounts on Parks & Recreation impact fees. Mr. Jackson made a motion, seconded by Ms. Garten-Schmidt, to eliminate all discounts to the Parks and Recreation impact fees. Mr. Parker stated that this needs to be done by ordinance and that it must go through the Planning Commission before it comes back to Council. Mr. Jenkins made a motion, seconded by Mr. Jackson, to instruct the Town Attorney to write an ordinance showing 0% discounts. Mr. Jackson stated that the ordinance could have first reading in June. Ms. Shuler pointed out that she needs to advertise for the public hearing 30 days in advance. The motion carried 6-1 with Mr. McIntosh voting in opposition.

Ms. Garten-Schmidt made a motion, seconded by Mr. Brown, to authorize the Town Administrator to enter into a contract to renew services rendered by Trident Security Services, Inc. for Town Hall and the Annex building. Some discussion followed. The motion carried unanimously.

PUBLIC COMMENTS (open)

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

Linda Whetsell stated that people are still urinating in her backyard. She also stated that someone needs to cut the bushes at the corner of Marion and Salisbury, that trucks and cars at the Lowcountry Fish Camp are blocking Parkwood Drive, that there are 5-6 cars at the beginning of her street (Atlantic Street) that block incoming traffic, that her new neighbors do not pick up after their dog goes to the bathroom on her property, that her new neighbors’ house looks like the Addams Family, that there is music all day around her house, that the noise from the plants behind her house is too loud, that there are no police patrolling her street unless a call is made to them, that the ditches on her street need to be cleaned out, and that the parking near the new pond on Parkwood and Shephard is bad.

EXECUTIVE SESSION:

Mr. Jenkins made a motion, seconded by Mr. Brown, to enter into Executive Session to discuss the following: Personnel Matters Related to Organizational and Salary Structure of Municipal Court; Contractual Matters and Receive Legal Advice Related to Property Acquisition; and Discuss Personnel Matters Related to Director of Community and Economic Development. The motion carried unanimously, and Council entered into Executive Session at 7:25pm.

Council returned from Executive Session at 8:25pm. Town Attorney GW Parker stated that Council met in Executive Session to discuss Personnel Matters Related to Organizational and Salary Structure of Municipal Court; Contractual Matters and Receive Legal Advice Related to Property Acquisition; and Discuss Personnel Matters Related to Director of Community and Economic Development. He stated that no action was taken in Executive Session.

OTHER BUSINESS:

Mr. McIntosh made a motion, seconded by Mr. Touchberry, to appoint David Whittington, Greg Hyland, and Vernita Hill to be associate municipal judges, effective immediately, with two-year terms, with a salary of \$20,000 per year. The motion carried unanimously.

ADJOURN:

Mr. Brown made a motion, seconded by Mr. Touchberry, to adjourn. The motion carried unanimously, and the meeting adjourned at 8:27pm.

Respectfully Submitted,



Beth Messervy, Town Clerk

APPROVED:



Ricky Waring, Mayor