

William C. Collins, Mayor

*Council Members:*

Terry Jenkins, Mayor Pro Tem  
Walter Bailey  
Aaron Brown  
Kima Garten-Schmidt  
Bob Jackson  
William McIntosh



*Clerk-Treasurer*

Lisa L. Wallace

*Town Attorney*  
G. Waring Parker

## **Town of Summerville**

### **COUNCIL MEETING MINUTES NOVEMBER 11, 2015**

#### **ATTENDANCE**

Present: Mayor Bill Collins and Council members Walter Bailey, Aaron Brown, Bob Jackson, Terry Jenkins and Bill McIntosh. Kima Garten-Schmidt was absent. Also present were Lisa Wallace, Director of Administrative Services & Clerk-Treasurer, and G.W. Parker, Town Attorney. Members of the press and the public were duly notified of the meeting and were also present.

#### **CALL TO ORDER**

The regular monthly meeting of Summerville Town Council was called to order at 7:30 p.m. on Wednesday, November 11, 2015. The meeting was opened with prayer by Mr. Jackson, followed by the Pledge of Allegiance.

#### **PUBLIC COMMENTS**

Mayor Collins called for any comments from the public. Peter Gorman of S. Magnolia and 3<sup>rd</sup> Street stated that in July of 2011 council gave the current Mayor the authority of the town administrator that will expire this month; therefore, there is no need to change the ordinances which will dismantle the office of the Mayor. Carolyn Gorman added that trust is at an all-time low and urged council to table the proposed ordinances. Louis Smith representing the Community Resource Center stated that he would like to see the proposed new community center named after Rollins Edwards. Frank Freeman of 108 King Charles Circle asked why the current ordinances are not sufficient and asked that council abandon this charade. Fran Harbeson of 403 W. 2<sup>nd</sup> South Street asked if Berlin Myers added any amendments to ordinances before the new Mayor came into office and why council is proposing these changes 2 months before the new Mayor takes office. Joyce Delk of 208 Essex Drive stated that she did not like the appearance of what was going on at town hall and that the people spoke at the voting polls. Greg Madama of 300 Thomaston Avenue in Brandymill subdivision stated that a lot of the proposed changes did not make sense and were not clear adding that there is no definition of presiding officer. Christine Czarnik of 406 S. Gum Street stated that there seems to be an overlap in the duties of the marketing firm proposal and the special events coordinator position and requested that council delay the issuance of the purchase order. She also questioned the intent of the proposed changes to the ordinances that diminish the authority of the Mayor adding that it has the appearance of retaliation. A citizen from 102 Daisy Circle in Robynwyn [name not given] feels that the proposed changes are unfair and she is ready to move out of Summerville. Kathy Perry of 169 Southport Drive agrees that the powers should not be stripped from the Mayor and is also upset that Weatherstone's property values will be reduced by the proposed road.

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Chaplin from Central Avenue does not want to be annexed into Summerville because she has seen what is going on in Summerville. Steve Blank of 211 Dovetail Circle in Weatherstone stated that he wants to appeal to council's compassion and empathy and asked that they imagine themselves in their shoes. Thadius Kcuick of 127 Avonshire stated that he was told that Michael Baker Engineering would increase the right-of-way if the POA did not give permission to put in silt fences in Weatherstone. William Harbeson of 403 W. 2<sup>nd</sup> South Street stated that people want an open and clean government. Homer Gonzales of 164 Avonshire in Weatherstone stated that lies have been told and that the town hired a firm that does not care about Weatherstone. Brenda Kornahrens Wiley of 106 Downy Drive thanked Mayor Collins for all he has done for the town and stated that she supports the hotel project. Franklin Smith of 521 Central Avenue implored council not to vote for the proposed changes to the ordinances or table until a later session. Adrian Kwist of Reynolds Road stated that he felt this was a vicious attack on the new Mayor adding that it may be legal but not right and urged council to reconsider. Linda Jones of 586 Dellafield in Weatherstone stated that the new road plans will destroy Summerville and bankrupt all of Weatherstone. Richard Judy stated that if the proposed changes are best for Summerville then why weren't they changed after the previous election. Gary Brewer of 106 W. 5<sup>th</sup> South Street stated that he can see both sides of the argument on the Bear Island Parkway issue but he is in favor of it adding that the residents of Summerville deserve better traffic conditions. John Hull stated that the people of the town are the government and they have given the power to Wiley Johnson. Frank Sando of 254 Avonshire stated that Sweet Tea is big business but does not see business in downtown Summerville. Heyward Hutson of 215 Golf Road asked about the author of the proposed ordinances stating that it would be best to table them.

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

Mr. Brown made a motion, seconded by Mr. Jackson, to approve the minutes of the October 14, 2015 council meeting as presented. The motion carried unanimously.

#### **APPROVAL OF COUNCIL COMMITTEE REPORTS**

Mr. McIntosh made a motion, seconded by Mr. Jenkins, to approve the November 9, 2015 Finance Committee report as submitted. The motion carried unanimously.

#### **PETITIONS**

There were no petitions for annexation.

#### **PENDING BILLS AND RESOLUTIONS**

There were no pending bills or resolutions.

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

Mr. Jackson made a motion, seconded by Mr. Jenkins, to introduce and have first reading of an ordinance to rezone TMS # 137-07-02-005 located at 309 W. Richardson Avenue from R2, "Single Family Residential" to R1, "Single Family Residential". The motion carried unanimously.

Mr. Jenkins made a motion, seconded by Mr. Jackson, to introduce and have first reading of an ordinance to adopt a capital improvements plan for the Town of Summerville. The motion carried unanimously.

Mr. Jackson made a motion, seconded by Mr. Brown, to introduce and have first reading of an ordinance to adopt a revised development impact fee ordinance for the Town of Summerville. The motion carried unanimously.

Mr. Brown made a motion, seconded by Mr. Jenkins, to introduce and have first reading of an ordinance to approve the FY 2015 budget amendment. The motion carried unanimously.

Mr. McIntosh made a motion, seconded by Mr. Jenkins, to introduce and have first reading of an ordinance to approve the FY 2016 budget. Mr. McIntosh stated that he had intended to request a millage reduction for 2016 but acknowledged that the new council will likely pursue hiring a town administrator and, therefore, requested that staff find a way to include at least a \$150,000 for a town administrator salary in the 2016 budget. There were no objections to this request. Mayor Collins called for the vote on the first reading of the FY 2016 budget and the motion carried unanimously.

Mr. Jenkins made a motion, seconded by Mr. Jackson, to introduce and have first reading of an ordinance revising the special event permit application and associated fee schedule. Mr. Bailey stated that the permit application was fine for large events but may not be suitable for smaller events. He had some concerns about the certificate of insurance and indemnification requirements and requested that these be addressed prior to second reading. Mr. Brown commented that there should be clarification of which organizations might have the rental fees waived. Mr. McIntosh echoed Mr. Bailey's concerns about the indemnification provisions. Mayor Collins then called for the vote on the first reading of the revised special event permit application and associated fee schedule and the motion carried unanimously.

Mr. Bailey made a motion to introduce and have first reading of an ordinance to amend Chapter 2, Article II of the Code of Laws of the Town of Summerville entitled "Mayor" and "Council meetings". Mr. McIntosh made a motion to amend the motion to include the reinstatement of Section 2.61 relating to chief executive officer, reinstatement of 2.66 relating to suppression of riots and the removal of the deletion in Section 2.94 relating to the calling of special council meetings. He added that any further refinement of the ordinance could be done prior to second reading. Mr. Brown seconded the motion to amend the motion carried unanimously. Mr. Bailey then made a motion to have first reading to the ordinance as amended and Mr. McIntosh seconded the motion. During discussion, Mr. Bailey stated that the reason for this ordinance is to go back to the way state law says a strong council form of government should operate. Mr. Brown made a motion to table items g. and h. (ordinances relating the mayor and administrator authority) and asked that Mayor-elect Johnson be invited to a meeting with the council so he could be part of the discussion on these ordinances. Mayor Collins called for a second to the motion. There being no second, the motion to table failed. Mayor Collins then called for vote on the motion to have first reading of the ordinance as amended. During discussion Mr. McIntosh encouraged the two newly elected members and members of town council to have

further discussions on the ordinance before second and final reading. The motion carried unanimously.

Mr. Bailey made a motion, seconded by Mr. McIntosh, to introduce and have first reading of an ordinance to amend Chapter 2, Article IV of the Code of Laws of the Town of Summerville

entitled "Town Administrator". The motion carried with Mr. Bailey, Mr. Jenkins, Mr. Jackson, Mr. McIntosh and Mayor Collins voting in favor of the motion and Mr. Brown voting against the motion.

Mr. Jenkins made a motion, seconded Mr. Bailey, to enter into executive session at 9:29 p.m. to receive legal advice on pending litigation known as Croft vs. Town of Summerville and to receive legal advice on pending litigation related to the Sawmill Branch Trail. Council returned to public session at 10:08 p.m. and announced that no action was taken.

Mr. McIntosh made a motion, seconded by Mr. Jenkins, to authorize the town attorney to negotiate a resolution of the threatened litigation relating to the Sawmill Branch trail by negotiating a contract to purchase an easement and approximately 8 acres in an amount not to exceed \$70,000.

**ADJOURN**

There being no further business, the meeting adjourned at 10:10 p.m.

Respectfully submitted,

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Lisa Wallace, Director of Administrative Services  
Clerk and Treasurer

APPROVED:

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William C. Collins, Mayor