



**Town of Summerville
Council Meeting**
Summerville Municipal Complex
Wednesday, November 11, 2015 at 7:30 p.m.

A G E N D A

Amended

- 1. Invocation and Pledge of Allegiance – Bob Jackson**
- 2. Public Comment**
- 3. Approval of Minutes of Previous Meetings**
 - a. Council Meeting, October 14, 2015
- 4. Approval of Council Committee Reports**
 - a. Finance Committee Report, November 9, 2015
- 5. Petitions**
- 6. Pending Bills and Resolutions**
- 7. Introduction of Bills and Resolutions**
 - a. Introduction and 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"
 - b. Introduction and first reading of an ordinance to adopt a capital improvements plan for the Town of Summerville
 - c. Introduction and first reading of an ordinance to adopt a revised development impact fee ordinance for the Town of Summerville
 - d. Introduction and first reading of an ordinance to approve the FY 2015 budget amendment
 - e. Introduction and first reading of an ordinance to approve the FY 2016 budget
 - f. Introduction and first reading of an ordinance revising the special event permit application and associated fee schedule
 - g. *Introduction and 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"*
 - h. *Introduction and first reading of an ordinance to amend Chapter 2, Article IV of the Code of Laws of the Town of Summerville entitled "Town Administrator"*
- 8. Miscellaneous**
- 9. *Executive Session* – 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**

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
OCTOBER 14, 2015**

ATTENDANCE

Present: Mayor Bill Collins and Council members Walter Bailey, Aaron Brown, Bob Jackson, Kima Garten-Schmidt, Terry Jenkins and Bill McIntosh. 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, October 14, 2015. The meeting was opened with prayer by Mr. Brown, followed by the Pledge of Allegiance.

PUBLIC COMMENTS

Mayor Collins called for any comments from the public. Thadius Kciuck of 127 Avonshire Drive stated that he represents the residents who are against the Bear Island Road extension. He asked the residents to stand and show their support. He stated that he has made attempts to set up meetings to propose other solutions but has not gotten any feedback. He also reported that he was told that he could not be placed on the agenda or use the projector for this meeting adding that he was advised that he could speak about the road under public comments. Councilman Jenkins reported that he had made attempts to meet with the residents by responding to emails to Mr. Gonzalez and others but that no one responded. Elaine Segelken, a resident of Summerville since the early 1970's, stated that she is in support of the road project to help alleviate the severe traffic. Travis Pope stated that he does not want a road behind his house. Jeffrey Jones of 586 Delafield stated that he agrees that the traffic is terrible but does not agree that his neighborhood should be downgraded for the benefit of others. Wendy Jones, also of 586 Delafield, brought pictures of her grandchildren stating that they could be abducted or have an accident due to the road. Todd Pope of 358 Southport Drive stated that they do not need a racetrack running through their neighborhood. He added that the town should have reached out to the homeowners. State Representative Eddie Southard stated that his constituents asked him to come and speak and asked Council to consider an alternative route. Mr. McIntosh asked Representative Southard if he would be willing to set up a meeting between the Weatherstone residents and representatives of the town to discuss the road project and alternatives. Rep. Southard indicated that he would be willing to facilitate that meeting. Steve Blank of 211 Dovetail Circle and President of the property owners association, stated that he does not believe that he received any email regarding

the road project from the town or his representative because he would have certainly responded. He added that it was his understanding that the people who did receive an email reported that it was only to discuss alterations to the current plan and not to discuss alternate routes. Councilman Jenkins reported that the town is looking at the alternative routes. Trudy Hubert of 348 Southport Drive stated that the proposed road does not run through her back yard; however, the Sheep Island proposal will but she is against the Bear Island Road extension. She added that no one wants this 4-lane road next the park where children play. She also read in an article that the Bear Island extension would not alleviate much traffic. John Flow of Avonshire Drive reported that Bear Island Road extension will not alleviate traffic adding that he is in the telecommunications industry and created a website for the Weatherstone community and anyone can email him at ourweatherstone@gmail.com. Linda Jones added that the road will put all of the traffic through their neighborhood immediately not years down the road. Homer Gonzales of 164 Avonshire reported that he and the group he represents would only meet to discuss alternatives to the road; otherwise, it would be a waste of time. He also reported that when he asked the town engineer for the stormwater runoff survey that he was provided one from 2002 and was told that a new one has not yet been completed. He added that the road will cause extreme flooding after the loss of retention ponds and wetlands. Bob Wallbaum of 316 S. Pine Street reported that he had 20 inches of water in his home and asked about the possibility of cleaning out the ditch that runs through his property. David Kerr of Boy Scout Troop 737 thanked council for allowing them to observe the meeting this evening. John Pressley of Weatherstone expressed support for council stating that he trusts that councilmembers will make the right decision. Mac Baughman stated that he is a life-long resident and thanked council for the synchronization of the traffic lights and for being proactive in finding solutions for the traffic problems. Dex Badgett of Weatherstone said none of the 40,000 residents of Summerville would want a road to run through their neighborhood. Kathy Kcuick of 127 Avonshire stated that it is not that they don't want the road; they don't want the road running through their community. Brad Mallet thanked council and town staff for being supportive of him and his business and the community and thanked council for addressing the challenges facing the town. Robbie Robbins of Pine Forrest commended the Mayor and council for having the vision to develop the proposed traffic plan that will help the entire town and particularly thanked the Mayor for his leadership in pursuing the completion of the third phase of the Berlin G. Myers Parkway. Diane Frankenberger, a Summerville homeowner and business owner, said the town has prospered because of good leadership and the help of many organizations. William Harbeson of 403 W. 2nd South Street stated there are lumps in the asphalt where a waterline was recently put in and there are potholes that need to be patched. Adrian Kwist of 109 Reynolds Road said shame on the developers and real estate agents for not informing the homeowners of the planned road for the neighborhood. He asked councilmembers if they were a resident of the Weatherstone neighborhood if they would approve the proposed plan. There being no further comments, the Mayor declared the public comments portion of the meeting closed.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

Mr. Jackson made a motion, seconded by Mr. Jenkins, to approve the minutes of the September 9, 2015 council meeting as presented. The motion carried unanimously.

APPROVAL OF COUNCIL COMMITTEE REPORTS

Mr. Brown made a motion, seconded by Ms. Garten-Schmidt, to approve the October 12, 2015 Finance Committee report as submitted. The motion carried unanimously.

PETITIONS

Mr. McIntosh made a motion, seconded by Mr. Jackson, to accept the petition and have first reading of an ordinance to annex TMS # 232-00-02-052 owned by Marymeade Associates to be zoned B3 "General Business". The motion carried unanimously.

PENDING BILLS AND RESOLUTIONS

Mr. Bailey made a motion, seconded by Ms. Garten-Schmidt, to have second and final reading of an ordinance authorizing quit-claim deeds to adjacent property owners for portions of unimproved right-of-way on E. 2nd South Street. Mr. Jenkins recused himself citing a conflict of interest. The motion carried unanimously with Mr. Jenkins abstaining.

Mayor Collins announced he would turn the gavel over to Mayor Pro Tem Jenkins and would recuse himself from voting on the next item on the agenda citing a conflict of interest. Mr. Jackson made a motion, seconded by Mr. Bailey, to have second and final reading of an ordinance to amend Chapter 2 Section 2-69 of the Code of Laws of the Town of Summerville by deleting Section (a) (2) relating to Mayor's compensation. The motion carried unanimously with Mayor Collins abstaining. Mayor Pro Tem Jenkins then returned the gavel to Mayor Collins.

INTRODUCTION OF NEW BILLS AND RESOLUTIONS

Mr. Jenkins made a motion, seconded by Mr. Bailey, to adopt a Resolution directing the Planning Commission to review and make recommendations for an amended capital improvements plan and revised impact fee ordinance. The motion carried unanimously.

MISCELLANEOUS

Mr. Jackson made a motion, seconded by Mr. Brown, to authorize the Mayor to execute an intergovernmental agreement with Charleston County for disaster debris removal. The motion carried unanimously.

Mr. Jenkins make a motion, seconded by Ms. Garten-Schmidt, to authorize the Mayor to execute an intergovernmental agreement with Berkeley County for the planning and implementation of certain road projects. The motion carried unanimously.

Mr. Brown made a motion, seconded by Ms. Garten-Schmidt, to authorize the Mayor to execute a visitor center management agreement with the Summerville/Dorchester County Chamber of Commerce. The motion carried unanimously.

Mr. McIntosh made a motion, seconded by Mr. Jenkins, to authorize the Mayor to execute an agreement with the First Circuit Public Defender to provide indigent legal representation. The motion carried unanimously.

Mr. Jenkins made a motion, seconded by Mr. Jackson, to authorize the Mayor to execute a memorandum of agreement with the S.C. Department of Transportation for disaster related debris removal. The motion carried unanimously.

ADJOURN

There being no further business, the meeting adjourned at 8:36 p.m. on motion of Mr. Jenkins, seconded by Mr. Jackson.

Respectfully submitted,

Lisa Wallace, Director of Administrative Services
Clerk and Treasurer

APPROVED:

William C. Collins, Mayor

**TOWN OF SUMMERVILLE
FINANCE COMMITTEE REPORT
NOVEMBER 9, 2015**

The Finance Committee met at 8:00 a.m. on Monday, November 9, 2015 in the Training Room of the Summerville Municipal Complex. Present were Mayor Bill Collins and Council members Walter Bailey, Aaron Brown, Bob Jackson, Bill McIntosh and Terry Jenkins. Kima Garten-Schmidt was absent. Also present were Town Attorney, G.W. Parker, Director of Administrative Services, Lisa Wallace and Finance Director, Belinda Harper. Other staff members, members of the press and members of the public were also present.

Presentation of Financial Report	Belinda Harper presented the October 2015 financial report. The report was accepted as information.
Approval of Financial Requisitions	<p>Mr. Brown made a motion, seconded by Mr. Bailey, to issue a purchase order to Butler Chrysler Dodge in the amount of \$74,009 on state contract to replace (3) police vehicles damaged by floodwater to be paid from insurance proceeds and fund balance. The motion carried unanimously.</p> <p>Mr. Jenkins made a motion, seconded by Mr. Jackson, to authorize a contract and issue a purchase order to Touchpoint Communications in the amount of \$40,000 for a tourism and marketing program to be paid from hospitality tax funds. The motion carried unanimously.</p>
Discussion of Council Committee Reports	There were no council committee reports.
Discussion of Proposed/Upcoming Council Agenda Items	There were no questions about the upcoming council agenda.
Miscellaneous	There were no miscellaneous items to discuss.
Executive Session	<p>Mr. Jenkins made a motion, seconded by Mr. Jackson, to enter into executive session at 8:12 a.m. to discuss legal and personnel matters related to pending employment litigation, legal matters related to pending Sawmill Branch Trail litigation, contractual matters related to the provision of audit services, and personnel matters related to the appointment of an interim town administrator.</p> <p>The finance committee returned to public session at 9:14 a.m. and announced that no action was taken.</p> <p>Mr. Jackson made a motion, seconded by Mr. Bailey, to authorize the staff to negotiate up to a 3-year contract with the audit firm Mauldin & Jenkins for the provision of audit services for the Town of Summerville. The motion carried unanimously.</p>

Mayor Collins announced that he would relinquish his authority as acting town administrator effective November 11, 2015 at midnight. Mr. McIntosh made a motion, seconded by Mr. Bailey, to rescind the Resolution adopted at the July 11, 2011 Finance Committee meeting delegating the temporary authority of the town administrator to the Mayor and to appoint Lisa Wallace as Interim Town Administrator. Mr. McIntosh, Mr. Bailey, Mr. Jackson, Mr. Jenkins and Mayor Collins voted in favor of the motion. Mr. Brown opposed. The motion carried.

Adjourn

There being no further business, the meeting adjourned at 9:15 a.m.

Respectfully submitted,



Lisa Wallace
Director of Administrative Services
Clerk/Treasurer

ORDINANCE

To Amend the Zoning Map of the Town of Summerville

BE IT ORDAINED, by the Mayor and Council members of the Town of Summerville in Council assembled that the parcel owned by Martha Sue Hope located at 309 W. Richardson Avenue and known as Dorchester TMS# 137-07-02-005 to be rezoned to the classification of R1 "Single Family Residential" from the classification of R2 "Single Family Residential".

The Zoning Map of the Town of Summerville is hereby amended so as to incorporate this change.

Ratified this _____ day of _____, 2015.

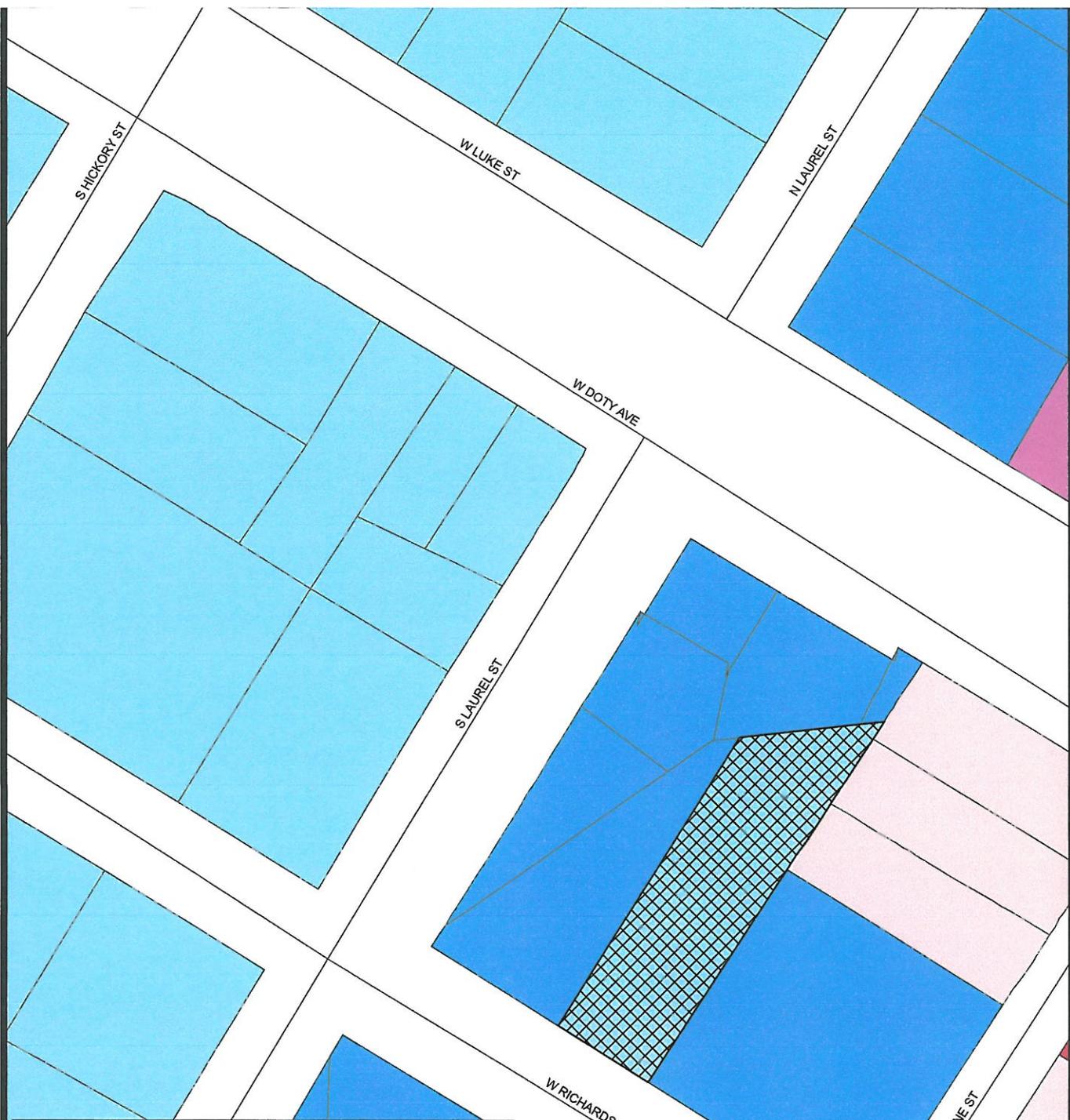
William C. Collins, Mayor

Lisa Wallace
Clerk to Council

PUBLIC HEARING: October 19, 2015

FIRST READING: November 12, 2015

SECOND READING: _____

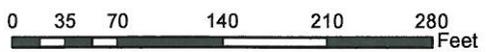


**Rezoning of 137-07-02-005
309 W. Richardson Ave.
R-2 to R-1**

- Legend**
- Parcels
 - Rezoning Request
- Zoning**
- AC
 - B-1
 - B-2
 - B-3
 - I-1
 - I-2
 - PL
 - PUD
 - PUD/DA
 - R-1
 - R-2
 - R-3
 - R-5
 - R-6
 - R-7



Disclaimer: This map is a graphic representation of data obtained from various sources. All efforts have been made to warrant the accuracy of this map. However, the Town of Summerville disclaims all representation and liability for the use of this map.



CONNECT

RESOLUTION

A RESOLUTION RECOMMENDING THE TOWN OF SUMMERVILLE TOWN COUNCIL TO APPROVE THE CAPITAL IMPROVEMENTS PLAN (CIP) AND A REVISED IMPACT FEE ORDINANCE, IN ACCORDANCE WITH, THE SOUTH CAROLINA DEVELOPMENT FEE ACT, S.C. CODE OF LAWS § 6-1-910, ET SEQ.:

WHEREAS, by the Summerville Town Council Resolution adopted October 14, 2015, the Summerville Planning Commission was directed to review and make recommendations for an amended Capital Improvements Plan and a revised impact fee ordinance; and,

WHEREAS, the Town of Summerville desires to review the Capital Improvements Plan and revise the Impact Fee Ordinance within the Town of Summerville for the primary purpose of funding capital projects and improvements; and,

WHEREAS, in order to review and make recommendations for an amended Capital Improvements Plan and revised Impact Fee Ordinance, the Town of Summerville Town Council as required, directed the Town of Summerville Planning Commission to review and make recommendations for an amended Capital Improvements Plan and revised Impact Fee Ordinance, pursuant to S. C. Code of Law § 6-1-910, (1976, as amended).

NOW, THEREFORE, BE IT RESOLVED by Town of Summerville Planning Commission, in a meeting duly assembled, makes the recommendation for the Summerville Town Council to approve the proposed amended Capital Improvements Plan and revised Impact Fee Ordinance.

DONE this 19th day of October, 2015.

SUMMERVILLE, SOUTH CAROLINA



Jim Reaves, Chairman, Planning Commission; or,
Elaine Segelken, Vice Chairman, Planning Commission

ATTEST:



Madelyn Robinson, AICP
Director of Planning & Economic Development

AN ORDINANCE

**TO ADOPT A CAPITAL IMPROVEMENTS PLAN FOR THE TOWN OF
SUMMERVILLE**

WHEREAS, the Town of Summerville desires to revise its Capital Improvements Plan along with the Impact Fee Ordinance for the Town of Summerville for the primary purpose of funding capital projects and improvements; and,

WHEREAS, in accordance with the S. C. Development Fee Act and pursuant to S. C. Code of Laws §6-1-910, ET SEQ Summerville Town Council adopted a Resolution dated October 14, 2015 directing the Summerville Planning Commission to review for revisions and recommend a Capital Improvements Plan and Impact Fee Ordinance; and,

WHEREAS, the Summerville Planning Commission issued a Resolution dated October 19, 2015 recommending that Summerville Town Council approve the proposed Capital Improvement Plan for the years 2016 through 2020 along with the Development Impact Fee Study Update, Housing Analysis and Revised Impact Fee Ordinance; and,

WHEREAS, a public hearing was held for the proposed revised Capital Improvements Plan on September 21, 2015 and the revised Development Impact Fee Ordinance on October 19, 2015.

NOW, THEREFORE BE IT ORDAINED, by the Mayor and Council assembled, that the Capital Improvements Plan for 2016-2020 is hereby adopted.

Adopted this ___ day of December, 2015

William C. Collins, Mayor

ATTEST:

Lisa Wallace, Clerk to Council

First Reading: November 12 , 2015

Second Reading: December 9, 2015

**TOWN OF SUMMERVILLE
CAPITAL IMPROVEMENTS PLAN
2016-2020**

The Capital Improvements Plan (CIP) for the Town of Summerville guides future funding, schedule, and construction of capital improvements so that necessary infrastructure is in place consistent with demand. Projects included in the CIP reflect both short-term and long-term investments in local infrastructure to maintain minimum service delivery standards. The CIP is developed for a five year period (FY 2016 – FY 2020) and is updated and revised as required.

The CIP was influenced by recommendations in the Development Impact Fee Study Update as well as through department requests for items the Town determined to be capital projects. Together, the CIP and Study documents fulfill the rules and requirements for those projects that are planned for impact fee funding as set forth in Section 6-1-960 of the South Carolina Development Impact Fee Act for implementing an impact fee ordinance.

WHAT IS A CIP?

A capital improvements plan (CIP) is the blueprint for a community that identifies capital expenditures funded over a fixed period of time to meet anticipated capital needs. It identifies each capital project for which the Town plans to undertake, and presents estimates of resources needed to finance these projects. A CIP distributes costly projects over time, protecting the community from abrupt tax increases that might otherwise be required to fund them. By requiring local governments to periodically review their current and potential capital needs, a CIP also improves planning for large projects and protects Town officials from being confronted by the sudden need for an unplanned capital expenditure. Information presented in the document helps decision-makers coordinate improvements for greater efficiency and assess short-term financing requirements in the context of long-term fiscal needs and constraints.

Although a CIP document extends over many years, it should be updated as required to reflect progress towards implementation and include more current information for planned expenditures and revenues. In many cases, the first year of the CIP becomes the annual capital budget for the local government that is submitted concurrent with the operating budget for consideration by the governing body. Capital projects identified for implementation beyond the upcoming capital budget year are approved only for planning purposes and may change because of available funding scenarios, a political shift among Town Council, or some other factor identified during formal review and update of the CIP documents.

PLANNING JURISDICTION

The CIP for the Town of Summerville is responsible for programming capital improvements within the Town's municipal limits and for those Town departments that

deliver facilities and services throughout the Town. The Town of Summerville is responsible for programming certain capital improvements in town limits. A map of the Town's municipal limits is provided following the table of capital projects.

PLANNING PROCESS

Items included in the CIP were determined by Town leaders including the Town Departments, the Planning Commission and Town Council - to provide additional capacity and/or maintain existing infrastructure that would serve future growth at current service delivery standards. The Town also consulted with Kimley-Horn to prepare a Development Impact Fee Study Update.

Town departments provided an inventory of existing capital facilities and assets, which was used to help identify future year capital needs for accommodating anticipated growth through the horizon year of 2020. These projects were identified to improve the amount, type, or quality of service provided inside town limits. In 2014, Town Council adopted a Vision Plan for the Town that also identified numerous public projects. Representatives from the following departments were included in the interview process as a means to provide a comprehensive approach to capital planning: Administration, Planning and Economic Development, Building and Codes, Engineering, Engineering, Stormwater, Parks and Recreation, Police, Fire, Information Technology, Municipal Court, Streets, and Maintenance.

The Development Impact Fee Study Update evaluated capital needs for parks and recreation, fire protection, municipal facilities and equipment, and transportation inside Town limits. It also quantified appropriate maximum impact fee amounts for each category based on current service delivery or anticipated growth. Together, capital projects recommended either by Town departments or the Development Impact Fee Study Update represent the projects included in the CIP document. Other projects may be added by Town leaders if the improvement is deemed necessary to effectively deliver public services or secure the public safety, health or general welfare in the community.

The Capital Improvements Plan was presented to the Town's Planning Commission and Town Council for review and comment consistent with the State Statutes. The Planning Commission provided Town Council with the required recommendations for consideration of a final decision on implementation.

AVAILABLE REVENUE SOURCES & FUNDING MECHANISMS

Several revenue sources and funding mechanisms are available to the Town of Summerville to fund the design, acquisition, engineering, financing, and construction of capital improvements necessary to provide new, or improved, service delivery within the Town. The following paragraphs summarize financial resources available to the Town of Summerville to fund recommended capital projects.

General Fund

The general fund accounts for all funding resources in the Town of Summerville not otherwise devoted to specific activities. It includes property taxes, intergovernmental transfers, licenses, permits, fines, fees, charges for service, and investment earnings collected for the Town. A portion of the general fund is used each year to fund capital projects for the Town.

Ad valorem taxes, as part of the general fund, are assessed according to a millage rate that is applied to the taxable value of real and personal property. The current millage rate is 61.9 mills, which includes taxes levied for the operations and debt service to retire existing general obligation bonds.

The annual estimate for the general fund revenues is \$26 million, based on budget information published for Fiscal Year 2015. Spending on capital projects is assumed to comprise up to 1% of the general fund, or \$220,000 annually for the five year planning horizon.

Hospitality Tax

A hospitality tax is levied on consumers purchasing prepared foods and beverages from vendors located within the jurisdiction enacting the tax. Towns in South Carolina are authorized to levy a hospitality tax of up to 2% if approved by a positive majority of the governing body.

The amount of availability of this source varies from year to year depending on economic forces and must be allocated in accordance with enabling legislation on both the local and state levels.

Accommodations Tax

An accommodations tax is levied on the rental of rooms, lodging, or sleeping accommodations. Local governments in South Carolina are authorized to levy an accommodations tax of up to 7% of the gross proceeds derived by business owners renting rooms, lodging, or sleep accommodations. An accommodations tax also imposes a sales tax of up to 5% on additional guest services offered at facilities not otherwise taxed under South Carolina law (see S.C. Code of Laws, Section 12-36-920).

The annual estimate for revenue generated by the accommodations tax is \$160,000; but may vary from year to year with spending trends.

Grants

Grants represent discretionary, lump-sum funding secured by the Town for specific one-time projects. There is no assurance that previous grant monies will be made available again in the future.

In many cases, receiving a grant obligates the Town to spend additional dollars to meet local match requirements for the grant received.

Grants should not be used to balance and budget, but be sought for viable purposes of which the local government can agree to provide any necessary matches. This funding source is not guaranteed from year to year nor is the source of provider guaranteed. All funding obtained from grants are expended in accordance with the guidelines set forth in the grant process specific to each grant and any applicable enabling statutes.

Development Impact Fees

Impact fees are financial payments made to local government by a developer to fund a proportionate share of certain off-site capital improvements identified to accommodate future growth. The South Carolina Development Impact Fee Act enables impact fees to be collected for different public facilities and services – including parks and recreation, fire protection, municipal facilities and services, and transportation. The Town of Summerville established a development impact fee ordinance in 2005, which was updated in 2010 and with this Ordinance, in 2015.

Expected revenue from development impact fees are predicated on the magnitude and timing of development; however, the five year CIP estimated revenue is based on future population and employment growth forecasted in the Town’s Comprehensive Plan for the period between 2016-2020.

STIP Project Funds

The State Transportation Improvement Program (STIP) is published annually by the South Carolina Department of Transportation and serves as the official list of short range transportation improvements programmed for study, design, or construction on the state highway system. The document identifies all state-funded transportation projects over the next six years (FY 2009/10 – FY 2015/16) that will occur in the Town of Summerville.

One project funded in the STIP will provide additional vehicle capacity to the transportation system. It is the extension of the Berlin Myers Parkway from Bacons Bridge Road to US 17A using SAFETEA-LU Direct Appropriation Funds (\$5.5 million). An estimate for roadway improvement costs covered by STIP funds inside Town limits represents approximately \$5.183 million.

Guide Share Funds

Guide share funds are available to each of the South Carolina Metropolitan Planning Organizations (MPOs) and Councils of Governments (COGs) for system upgrade projects. The dollar amount is calculated by taking the MPO’s and COG’s specific proportion of the state population and applying it to the total available funds for system upgrades projects.

The CHATS Metropolitan Planning Organization (CHATS) designated guide share funds for the following projects in Summerville: Berlin Myers Parkway Extension (\$12.7 million), Dorchester Road Widening (\$5.0 million), and Bacons Bridge Road Widening (\$5.0 million). The Berkeley Charleston Dorchester Council of Governments has not designated guide share funds for projects inside Town limits.

Estimates for roadway improvement costs covered by CHATS guide share funds inside Town limits represent approximately \$13.292 million.

Additional SCDOT funding

The extension of Berlin Myers Parkway, between East Carolina Avenue and Orangeburg Road was awarded \$14.66 million for construction under the American Recovery and Reinvestment Act of 2009. Permitting delays pushed back the start date of the project beyond the March 2010 deadline required to receive stimulus funding. In September 2009, the CHATS Policy Committee approved a funding swap for the extension of Berlin Myers Parkway. The project will receive \$14.66 million from the South Carolina Department of Transportation resurfacing budget while the \$14.66 million in stimulus funding will to resurfacing Interstate 26.

Estimates for roadway improvements costs covered by the funding swap inside Town limits represent approximately \$13.861 million.

Developer In-Kind Contributions

In some instances, the owner(s) of property seeking entitlements for their land may elect during the development review process to donate right-of-way, land or construct certain improvements for the public good as well as to serve their development. The type and / or magnitude of these contributions vary greatly from location to location and from owner to owner.

The Town anticipates these discussions in the future as larger developments look to locate and develop within the Town's municipal limits.

CDBG Funds

The Community Development Block Grant Program (CDBG) is a Federal program administered by the U.S. Department of Housing and Urban Development (HUD) to help fund local community development programs. CDBG funds may be used for construction of affordable housing, housing rehabilitation, public infrastructure projects, public facilities projects, and economic development and community service initiatives. The primary goals of the CDBG program are to assist low and moderate income (LMI) persons and to improve living conditions and spur economic development in LMI areas of communities.

Summerville Town Council formally adopted the 2015-2020 CDBG Consolidated Plan on May 13, 2015. HUD formally approved the Consolidated Plan on July 22, 2015. For Program Year 2015 (July 1, 2015- June 30, 2016), the Town received \$233,382 in CDBG Entitlement funding. During the previous 5 year period, the Town received an average Entitlement allocation of \$222,644 annually.

The following items were identified as priority needs in the Five-Year Consolidated Plan:

1. Install sidewalk and drainage/stormwater improvements to enhance citizen safety and encourage neighborhood revitalization and development in low-and-moderate income areas.
2. Initiate streetscape and lighting improvements to enhance citizen safety and encourage development and additional use of public recreational areas.
3. Provide recreational and community facilities in areas that are comprised primarily of low-and-moderate income individuals, at-risk youth and/or the elderly.
4. Support redevelopment efforts that enable business and economic expansion that will result in the creation of employment opportunities for low-and-moderate income individuals.
5. Provide financial assistance to non-profit organizations to support the development of standard, affordable housing for low-and-moderate income residents residing in the Summerville community.
6. Provide financial assistance to non-profit organizations that will support temporary housing of homeless individuals and transportation for the receipt of supportive services for the homeless population.

The following principles will guide the Town in setting priorities, developing strategies and evaluating and selecting specific projects during implementation of the Five-Year Consolidated Plan:

1. Provide assistance that affects the greatest number of individuals or areas that qualify as low-and-moderate income.
2. Support projects that result in low-and-moderate income residents achieving a more suitable living environment.
3. Support projects that promote neighborhood stability.
4. Identify potential projects that can be used to leverage other community and financial resources.
5. Provide assistance to non-profit organizations that can increase the availability of affordable, decent housing.
6. Identify and support projects that include the potential for economic development in low-and-moderate income areas and achieve mixed-income development in other Town areas.

CAPITAL IMPROVEMENT NEEDS

For the purposes of this document, a capital improvement is defined by its cost and useful life. Improvements that have a cost of at least \$100,000 and generally have a useful life of at least five years are deemed eligible for inclusion in the capital improvements plan. Appropriate items may include engineering, permitting, planning, purchase, financing,

and construction costs attributable to recommended projects. Operating expenditures for personnel and other general costs are not included.

The current CIP includes twenty four (45) projects. The total estimated cost for implementation of all projects is approximately \$71,099,039 million. These projects will have to be funded through several different revenue sources and funding mechanisms identified herein. A project's inclusion in the CIP does not, in and of itself, commit the Town to fund and accomplish it. As stated previously in the document, the capital improvements plan identifies local capital needs. Available funds, taxing capacity, or debt capacity may require that some projects ultimately be deferred beyond the years in which they are initially programmed for accomplishment in this CIP.

In these instances, revisions to the document will be conducted within a formal public hearing process. Likewise, this CIP may not be inclusive as a community's economic climate is fluid and unseen, unplanned and/or unexpected circumstances may arise that may need emergency attention or opportunities appear that the Town may desire pursuing for the betterment of the community.

PROJECT SCHEDULE

Projects included in the CIP are categorized by general category and planning horizon. The start date for a specific project constitutes the beginning of design work or identification of the need, successively followed by acquisition (if required) and construction or the bringing on line of the recommended improvements.

The schedule of projects included in the CIP represents consensus among Town Council for prioritizing capital improvements that most benefit the community as a whole.

PROJECT DETAIL TABLE

A brief description of each project included in the Capital Improvements Plan is provided in the following pages. Information presented in the project detail sheet includes:

- a synopsis of the project;
- schedule for implementation;
- attributed costs towards implementation; and,
- potential funding sources for completing the project.

Collectively, these projects represent local investment by the Town of Summerville to increase capacity in the public service delivery system. These projects, when combined with those planned by other jurisdictions, begin to address deficiencies anticipated for the five year planning horizon.

Town of Summerville
Capital Improvements Program 2016-2020
DRAFT

Item	POTENTIAL FUNDING SOURCE	2016	2017	2018	2019	2020	TOTALS
PARKS AND RECREATION							
Hutchinson Square Phase II, III, IV & V	Bond Proceeds/Other	805,660	470,000	570,000	200,000		2,045,660
National Guard Armory	Bond Proceeds/Other	1,700,000	1,700,000				3,400,000
New Tennis Courts - Doty Park	Parks & Rec Impact Fees	150,000					150,000
Enclosed Cab Tractor w/side mower arm	General Fund		136,000				136,000
Regional Athletic Facility	Parks & Rec Impact Fees				4,000,000		4,000,000
Total Parks & Recreation		2,655,660	2,306,000	570,000	4,200,000	0	9,731,660
STREET							
CAT Wheel Loader	General Fund	124,600					124,600
Vacuum Truck	General Fund			225,000			225,000
Sixteen Yard Dump Truck	General Fund				181,500		181,500
Wheel Loader	General Fund					142,869	142,869
Bulk Crew - Wheel Loader	Municipal Impact Fees		124,600				124,600
Total Street		124,600	124,600	225,000	181,500	142,869	798,569
COURT							
New Municipal Court Facility	Municipal Impact Fees			2,000,000			2,000,000
Total Court		0	0	2,000,000	0	0	2,000,000
ENGINEERING							
Construction of Sheep Island Extension from New I-26 Interchange to Maple Street	Bond Proceeds/Other	1,275,000					1,275,000
Roadway Maintenance & Resurfacing	General Fund	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	5,000,000
New Sidewalks	General Fund	150,000	150,000	150,000	150,000	150,000	750,000
Replacement of Brick Arch on Central Avenue	SCDOT/Other	1,500,000					1,500,000
Interchange to Maple Street	Bond Proceeds/Other		1,275,000				1,275,000
Bear Island Road Construction	Bond Proceeds/Other		3,280,000				3,280,000
Construction of Maple Street Improvements	Bond Proceeds/Other		3,400,000				3,400,000
Continued Construction of Bear Island Roadway	Bond Proceeds/Other			1,275,000			1,275,000
Construction of Maple Street Improvements	Bond Proceeds/Other			6,800,000			6,800,000
Continued Construction of Maple Street Improvements	Bond Proceeds/Other				3,400,000		3,400,000
Parsons Road and Central Avenue Improvements	General Fund				3,500,000		3,500,000
Continued Construction of Parsons Road and Central Avenue Improvements	General Fund					3,500,000	3,500,000
Total Engineering		3,925,000	9,105,000	9,225,000	8,050,000	4,650,000	34,955,000
ADMINISTRATION							
Improve/Purchase Downtown Satellite Visitor's Center Office	Municipal Impact Fees		500,000				500,000
New visitor's Center, Sheep Island Road Interchange	Municipal Impact Fees				1,500,000		1,500,000
Conference Center	Bond Proceeds/Other	3,500,000					3,500,000
Parking Garage	Bond Proceeds/Other	4,729,611					4,729,611
Additional Municipal Facilities	Municipal Impact Fees		1,200,000				1,200,000
Total Administration		8,229,611	1,700,000	1,500,000	0	0	11,429,611

Town of Summerville
Capital Improvements Program 2016-2020
DRAFT

Item	POTENTIAL FUNDING SOURCE	2016	2017	2018	2019	2020	TOTALS
STORMWATER							
Kubota SVL 90 Skid Steer	Municipal Impact Fees	105,000					105,000
Mack Tri-axle Dump truck (trade in \$39,818, new price \$197,318)	Stormwater Fees			197,318			197,318
	Total Stormwater	105,000	0	197,318	0	0	302,318
POLICE & COMMUNICATIONS							
Backup Radio Trailer	Municipal Impact Fees	225,000					225,000
Palmetto 800 System	General Fund					103,821	103,821
New Police Station	Municipal Impact Fees					6,000,000	6,000,000
	Total Police & Communications	225,000	0	0	0	6,103,821	6,328,821
FIRE							
Replace Engine 2	General Fund	460,000					460,000
Remodel Station 3	General Fund	750,000					750,000
Special Operations Response Vehicle	Fire Impact Fees		200,000				200,000
Purchase Engine 6	Fire Impact Fees			460,000			460,000
Purchase land for Station 6	Fire Impact Fees			350,000			350,000
Build Station 6	Fire Impact Fees			1,500,000			1,500,000
Replace Truck 2 (Aerial Truck)	General Fund					1,500,000	1,500,000
Build Storage facility at current training site	Fire Impact Fees					150,000	150,000
	Total Fire	1,210,000	200,000	2,310,000	0	1,650,000	5,370,000
PLANNING & ECONOMIC DEVELOPMENT							
GIS	General Fund			150,000			150,000
	Total Planning & Economic Development	0	0	150,000	0	0	150,000
MAINTENANCE							
In-Ground Fuel Tanks	General Fund	140,000					140,000
Rollback hauling truck	General Fund				110,000		110,000
Outside Drive-on lift	Municipal Impact Fees					140,000	140,000
	Total Maintenance	140,000	0	0	110,000	140,000	390,000
TOTALS		16,614,871	13,435,600	16,177,318	12,541,500	12,686,690	71,455,979

AN ORDINANCE

TO ADOPT A REVISED DEVELOPMENT IMPACT FEE ORDINANCE FOR THE TOWN OF SUMMERVILLE

WHEREAS, the Town of Summerville desires to revise its Capital Improvements Plan along with the Impact Fee Ordinance for the Town of Summerville for the primary purpose of funding capital projects and improvements; and,

WHEREAS, in accordance with the S. C. Development Fee Act and pursuant to S. C. Code of Laws §6-1-910, ET SEQ Summerville Town Council adopted a Resolution dated October 14, 2015 directing the Summerville Planning Commission to review for revisions and recommend a Capital Improvements Plan and Impact Fee Ordinance; and,

WHEREAS, the Summerville Planning Commission issued a Resolution dated October 19, 2015 recommending that Summerville Town Council approve the proposed Capital Improvements Plan for the years 2016 through 2020 along with the original Development Impact Fee Study Update and Housing Analysis of March 2010 and this Revised Impact Fee Ordinance; and,

WHEREAS, a public hearing was held for the proposed revised Capital Improvements Plan on September 21, 2015 and the revised Development Impact Fee Ordinance on October 19, 2015; and,

WHEREAS, the proposed Capital Improvements Plan and Ordinance is attached: and,

WHEREAS, the following revisions have been made to the Development Impact Fee Ordinance:

ARTICLE III. FINDINGS

(c) By Resolution adopted on October 14, 2015, the Town Council directed the Planning Commission to conduct the necessary review and develop a revised development impact fee ordinance in accordance with the requirements of the Act.

(d) The Planning Commission recommended to Town Council a revised Town of Summerville Capital Improvements Plan with projects eligible for impact fee funding dated October 19, 2015; the *Impact Fee Study Update Report for Summerville* dated March 11, 2010; and, a *Housing Affordability Analysis in Support of an Impact Fee Study Update Report in Summerville* dated March 11, 2010, each of which have been adopted by the Town Council as modified, on October 13, 2010, and, to be upheld as part of this revised Development Impact Fee Ordinance dated December 9, 2015.

(e) This Ordinance is enacted to implement the recommendations of the *Impact Fee Study Update Report for Summerville* as prepared for the planning horizon year of 2020 and endorse the newly revised Town of Summerville Capital Improvements Plan.

NOW, THEREFORE BE IT ORDAINED, by the Mayor and Council assembled, that the revised Development Impact Fee Ordinance is hereby adopted.

Adopted this ____ day of December, 2015

William C. Collins, Mayor

ATTEST:

Lisa Wallace, Clerk to Council

First Reading: November 12, 2015

Second Reading: December 9, 2015

ORDINANCE NO. 15-xxxx
TO AMEND THE FY 2015 OPERATING BUDGET
FOR THE TOWN OF SUMMERVILLE, SC

BE IT ORDAINED by the Mayor and Town Council of the Town of Summerville in meeting duly assembled that the Fiscal Year 2015 Operating Budget is hereby amended as follows:

SECTION 1 REVENUES

	Original Appropriations	Change	Amended Appropriations
<u>GENERAL FUND REVENUES</u>			
Property Taxes	\$10,906,400		\$10,906,400
Licenses	7,614,000	148,670	7,762,670
Franchise Fees	2,177,500	14,236	2,191,736
Permits and Fees	865,500	20,000	885,500
Fines and Forfeitures	550,000		550,000
Intergovernmental Revenues	2,326,350		2,326,350
Interest Income	35,800	12,049	47,849
Recreational Facilities	220,275		220,275
Miscellaneous Income	596,645		596,645
Total General Fund Revenues	25,292,470	194,955	25,487,425
Total Transfers In	1,530,000	775,487	2,305,487
TOTAL Sources of Funds	\$26,822,470	970,442	\$27,792,912

SECTION 2 EXPENDITURES

<u>GENERAL FUND EXPENDITURES</u>			
Municipal Court	\$422,453		\$422,453
Finance	420,893		420,893
Administration	1,358,917	107,450	1,466,367
Planning and Development	517,217		517,217
Buildings/Inspections/Codes	525,114		525,114
Town Engineer	413,355		413,355
Police	6,902,789		6,902,789
Fire	6,664,950		6,664,950
Communications Center	843,179	14,234	857,413
Vehicle Maintenance	661,440		661,440
Streets	2,549,804		2,549,804
Parks and Recreation	2,157,933	225,721	2,383,654
Debt Service	762,072	(45,000)	717,072
Buildings and Grounds	867,569	5,600	873,169
Capital Outlay	1,391,170	839,378	2,230,548
Non-Departmental	285,246	(176,941)	108,305
Total General Fund Expenditures	26,744,101	970,442	27,714,543
Transfers Out	78,369		78,369
TOTAL Uses of Funds	\$26,822,470	970,442	\$27,792,912

SECTION III

Except for the foregoing budget amendments, no other provisions of the ORDINANCE TO ADOPT AN OPERATING BUDGET FOR THE TOWN OF SUMMERVILLE, SC FOR THE FISCAL YEAR 2015 adopted on November 14, 2014 are affected by this

ordinance. DONE IN COUNCIL this _____ Day of __, 2015

William Collins, Mayor

Lisa L. Wallace, Clerk to Council

First Reading:

Second Reading:

Ratified:

ORDINANCE 15- xxxx
AN ORDINANCE TO ADOPT AN OPERATING BUDGET
FOR THE TOWN OF SUMMERVILLE, SC
FOR THE FISCAL YEAR 2016

To raise revenue for the general uses and purposes of the Town of Summerville, South Carolina, for the Fiscal Year beginning January 1, 2016 and ending on December 31, 2016.

BE IT ORDAINED, by the Mayor and Council of the Town of Summerville in Council assembled:

SECTION I - That the proposed budget with proposed estimated revenue for payment thereof, as shown in the following items is hereby adopted and made a part hereof:

GENERAL FUND REVENUES

Property Taxes	\$11,061,400
Licenses	7,640,144
Franchise Fees	2,340,448
Permits and Fees	864,000
Fines and Forfeitures	440,000
Intergovernmental Revenues	2,307,234
Interest Income	72,587
Recreational Facilities	220,398
Miscellaneous Income	931,244
Total General Fund Revenues	<u>25,877,455</u>
Total Transfers In	<u>3,282,100</u>
TOTAL Sources of Funds	<u><u>\$29,159,555</u></u>

GENERAL FUND EXPENDITURES

Municipal Court	\$432,165
Finance	420,564
Administration	1,491,682
Planning and Development	647,139
Buildings/Inspections/Codes	623,178
Town Engineer	435,581
Police	7,424,757
Fire	7,043,404
Communications Center	1,020,347
Vehicle Maintenance	698,111
Streets	2,686,977
Parks and Recreation	2,408,988
Debt Service	770,883
Buildings and Grounds	872,609
Capital Outlay	2,042,127
Non-Departmental	46,043
Total General Fund Expenditures	<u>29,064,555</u>
Transfers Out	<u>95,000</u>
TOTAL Uses of Funds	<u><u>\$29,159,555</u></u>

SECTION IV

(A) The General Fund of the Town shall consist of all revenues and receipts of the Town except those by law restricted to specific purposes. General Fund Revenue shall include, but not be limited to, the Ad Valorem taxes raised by subsection I of this Ordinance, funds received from State and Federal agencies and programs, licenses, permit and franchise fees, payments for services, and investment income. The anticipated income from all such sources for the year 2016 is expected to be \$29,159,555.

SECTION V

That for the fiscal year 2016, a base fee of \$4 per equivalent residential unit per month is imposed and levied for the purposes of establishing a budget for the STORMWATER UTILITY FUND which shall operate as a special revenue fund, separate and distinct from the General Fund. The anticipated income for the Stormwater Utility Fund to be derived from fees and charges, and other sources for the year 2016, as authorized by the Stormwater Utility Ordinance, is expected to be \$1,174,310. There is hereby appropriated the sum of \$1,174,310 for the operation of the Stormwater Utility.

DONE IN COUNCIL this ____ Day of _____, 2015.

William C. Collins, Mayor

Lisa L. Wallace, Clerk to Council

First Reading :
Public Hearing :
Second Reading:
RATIFIED:

(A) That for the fiscal year 2016, a tax of 61.9 mills (\$.619 per \$1,000) upon every dollar of the value of all real and personal property within the corporate limits of the Town of Summerville be and the same is hereby imposed and levied for the purposes of:

- (1) Defraying the ordinary current expenses of the government of the Town of Summerville during 2016;
- (2) Paying the floating indebtedness of the Town, if any, during 2016;
- (3) Paying interest and principal on the bonded indebtedness of the Town of Summerville that may come due during 2016; and
- (4) For such other Capital expenditures as Council may authorize by resolution.

(B) Be it further ORDAINED, that to promote and maintain the general health of the Town, there is hereby imposed upon all improved residential and some commercial properties in the Town Limits a SOLID WASTE COLLECTION FEE of \$8.50 per month, to be billed annually by the County Auditor on the property tax bill and collected by the County Treasurer in the same manner as provided for property taxes on the 2015 property tax bill. PROVIDED, however that in the case of properties which, due to tax exemptions or other reasons, cannot be billed by the County Auditor, the Town Administrator shall implement systems for collection of the Sanitation Collection Fee imposed by this section or by Section III of this Ordinance.

(C) Be it further provided, that in the case of new residences issued a Certificate of Occupancy prior to December 31, an interim SOLID WASTE COLLECTION FEE of \$8.50 per month shall be assessed and collected on behalf of the town by the Summerville Commissioners of Public Works. The interim fee shall terminate on December 31, and be replaced by the SOLID WASTE COLLECTION FEE billed annually along with property taxes of the following year.

(D) In the event that the interim SOLID WASTE COLLECTION FEE is not paid when due, interest and/or late fees shall accrue at a rate equal to the interest and/or late fees charged for water and sewer fees by the Commissioners of Public Works, until such time as the overdue payment and interest are paid. Additionally, the Commissioners of Public Works shall have the authority to terminate water and/or sewer service for nonpayment of the interim SOLID WASTE COLLECTION FEE.

SECTION II

That the taxes and fees herein and hereby levied pursuant to Section II are for the Fiscal Year beginning on the first day of January, 2016, and ending on the thirty-first day of December, 2016, and shall be due and payable in accordance with the schedule in effect for the collection of County Ad Valorem taxes for the County in which the taxable property is situate.

SECTION III

That penalties, interest charges and execution fees at the same rate as those in effect for the County in which the property is situated shall attach to and be added for nonpayment within the periods aforesaid.

2016 HOSPITALITY/ACCOMMODATION TAX BUDGET

FUND	ACCOUNT	DESCRIPTION	BUDGET
214	4-4741-20-221	LOCAL HOSPITALITY TAX REVENUE	3,235,000
214	4-4741-35-350	SPECIAL EVENTS SPONSORSHIP	6,000
214	4-4741-35-351	INTEREST INCOME	5,000
214	4-4741-35-353	SALE OF SHIRTS & MUGS	2,000
		TOTAL REVENUE	3,248,000
214	5-4741-10-101	SALARY & WAGES	56,650
214	5-4741-10-109	FICA TAXES	4,334
214	5-4741-10-111	RETIREMENT CONTRIBUTION	6,265
214	5-4741-10-121	HEALTH INSURANCE	5,537
214	5-4741-10-122	LIFE INSURANCE	157
214	5-4741-10-123	WORKERS COMPENSATION	380
214	5-4741-20-202	PROFESSIONAL FEES/TOURISM MGT & MARKETING	130,000
214	5-4741-25-296	EXIT 199 INTERCHANGE	30,000
214	5-4741-38-381	PRINTING, BINDING & ADVERTISING	33,000
214	5-4741-50-505	DISTRIBUTIONS TO ORGANIZATIONS	170,000
214	5-4741-50-575	SPECIAL EVENTS	22,000
214	5-4741-50-579	FIREWORKS	10,000
214	6-4741-13-525	IMPROVE. OTHER THAN BUILDING	221,092
214	6-4741-26-312	INFRASTR/SIDEWALK	250,000
214	7-4741-10-102	TRANSFER TO DEBT SERVICE	600,000
214	7-4741-10-202	TRANSFER TO GENERAL FUND	1,617,500
214	7-4741-10-203	TRANSFER TO GRANT/PROJECT FUND(CHATS)	91,085
		TOTAL EXPENDITURES	3,248,000

ORDINANCE _____

AN ORDINANCE TO AMEND SECTION 24-72 OF THE CODE OF LAWS OF THE TOWN OF SUMMERVILLE RELATING TO SPECIAL EVENTS PERMITS AND FEES RELATING TO SPECIAL EVENTS PERMITS

BE IT ORDAINED, by the Mayor and Council of the Town of Summerville, in Council assembled, that Section 24-72 be amended as follows:

Sec. 24-72. Special Event Permit Application and Fees

~~Application for special event permits under this article may be obtained by contacting Town Hall during normal business hours and must be filed with the town administrator not more than ninety (90) days and not less than fourteen (14) days in advance of the proposed activity. Late applications may be accepted if filed sufficiently in advance of the date of the proposed activity to enable the town administrator to determine that such activity will meet the requirements set forth in section 24-73.~~

Applications for parades/processions shall be submitted no less than sixty (60) days in advance of the requested event date. All other applications shall be submitted a minimum of forty-five (45) days in advance of the requested event date. Late applications may be accepted if filed sufficiently in advance of the date of the proposed activity to enable the town to determine that such activity will meet the requirements set forth in section 24-73.

Fees and charges may apply to each application as determined by the town department(s) affected by the special event and the amount of services, property, permits, etc. that are necessary to assure the event will be held with the health and safety of the public in mind. The schedule of fees and charges shall be governed by the Town of Summerville and will be on file in the clerk and treasurer's office.
(Ord. No. 1989-0208, 4-12-1989)

Ratified this ____ day of _____, 2015.

Public Hearing: _____

First Reading: _____

Second Reading: _____

William C. Collins, Mayor

ATTEST:

Lisa L. Wallace, Clerk-Treas.

**TOWN OF SUMMERVILLE
SCHEDULE OF FEES AND CHARGES FOR SPECIAL EVENTS**

Application Fee	\$25.00 Non-Refundable
Deposit (Deposits are refundable provided area(s) are returned to original condition after use)	Single Day Event - \$100.00 Multiple Day Event - \$200.00 Road/Race/Parade/Procession - \$150.00
Police Officers	\$25.00/hour per officer 4-hour minimum
Fire Inspector (special inspection)	\$30.00
Parks and Recreation Staff	Varies per hour/per staff member
<u>Residential Street Closure</u>	
Barricades	\$25.00 per barricade
<u>Non-Residential Street Closure</u>	
Barricades	\$25.00 per barricade
<u>Facility Rental</u>	
Cuthbert Community Center	
Summerville Residents	\$25.00 for first 2 hours and \$10.00 for each additional hour plus \$100.00 key deposit
Non Residents	\$50.00 for first 2 hours and \$10.00 for each additional hour plus \$100.00 key deposit
<u>Park Rental</u>	
(Security Deposit may be required)	Free Summerville Residents
	\$55.00/day Non-Summerville Residents
Gazebo Summerville Residents	\$25.00/day plus refundable \$75.00 deposit
Gazebo Non Residents	\$300.00/day plus refundable \$75.00 deposit

The Town of Summerville, at its discretion, may choose to waive any fees and charges for special events held by bona fide, non-profit 501c3 organizations.

Facility use and rental will be limited to only non profit and civic organizations promoting the best interest of the community and will not include the following activities:

- Any activity that violates the community standards of good morals, manners, or taste.
- Meetings and other activities for profit, religious or political organizations are not allowed.
- Any activity that is injurious to the building, grounds, or equipment.
- Any activity that violates or assists in violations of Federal, State or Local laws.
- Any activity that encourages or allows the use of alcoholic beverages or illegal drugs.
- Any activity that is discriminating in the legal sense.

TOWN OF SUMMERVILLE
SCHEDULE OF FEES AND CHARGES FOR SPECIAL EVENTS
PAGE 2

The key to the Cuthbert Community Center must be picked up from the Parks and Recreation Department the day prior to your meeting or event and the key must be returned the following business day during normal business hours at which time the key deposit will be returned.

Full payment of any fees or charges is due upon approval of the permit application and must be paid no later than 48 hours prior to the special event. Failure to submit payment in full at least 48 hours prior to the event will result in cancellation of the special event.

The applicant shall be held responsible if the area used is not left in the same condition at the end of the special event as it was found to be at the beginning. The area used for the special event shall be inspected following the event. A security deposit may be required as determined by the sole discretion of the Town and will be paid no later than 48 hours prior to the event.

If for any reason there is damage to any part of the area, which was reserved for the special event, or damage to another area as a direct result of the event, the extent of damage, as determined by the sole discretion of the Town, shall be determined and the dollar amount for any repair or replacement will be billed to the applicant to be paid no more than 30 days from the billing date. If the cleanup involves Town of Summerville staff, a restitution fee shall be assessed as determined by the sole discretion of the Town to be paid no more than 30 days from the billing date. If payment is not received from the party within that time, all future special event requests will be denied until such time as payment is received and, in addition, Town of Summerville may take legal action to recover costs, including attorney's fees. These costs can be deducted from a security deposit if required. This provision shall also apply in the case where the party is not required to pay a security deposit for the special event.



TOWN OF SUMMERVILLE SPECIAL EVENT PERMIT APPLICATION PURSUANT TO TOWN OF SUMMERVILLE CODE

A special event permit is required for any/all organized activity with fifty (50) or more people using or impacting publicly owned, managed or controlled property (including Right-of-Ways) that are partially outdoor events or, in the case of indoor events, involve anticipated attendance by more than 250 persons and/or the consumption of alcohol.

Please Note: All Town of Summerville ordinances (zoning, noise, signage etc.) must be adhered to. A special event permit does not guarantee the use of the covered picnic shelters/pavilions as those accommodations are on a first come, first serve basis.

PERMIT PROCESS

As a clearing house for events, the Special Events Office serves as a communication tool and facilitator among various Town of Summerville (Town) departments affected by festivals and events. Although the Special Events Office administers the application process, each Town department is responsible for ensuring that its requirements have been met.

All applicable attachments and fees must be included with your Special Event Permit Application before the Town will begin the review process. All applications must include:

- Proposed Site Plan
- Proposed Schedule of Events
- If the event is on property not owned by the Event Host or the Town of Summerville proof of consent from the property owner must be included.
- Signed Addendum for events in Hutchinson Square
- Signed Acknowledgement form from Summerville DREAM for events that

include road closures in the Historic Downtown Shopping District

The review process takes a minimum of six (6) business days. Contacting the Special Events Office with approval queries within 6 days of the application submittal will only slow the process.

During the review process you will be notified if your event application requires additional documentation.

Staff in all appropriate Town of Summerville Departments will review the permit application. Should there be any specific questions or concerns about your event, Town staff will contact you.

DEADLINES and FEES

Applications for parades/processions shall be submitted no less than sixty (60) days in advance of the requested event date.

All other applications shall be submitted a minimum of forty five (45) days in advance of the requested event date.

Applications will not be processed until the \$25 application fee is paid in full. The Application fee is nonrefundable and nontransferable.

Deposit amounts are determined by the size and scope of the event:

Single Day Event- \$100
Multiple Day Event- \$200
Road Race/Parade/Procession - \$150

The Town of Summerville, at its discretion, may choose to waive deposits and/or fees associated with the special events permit.

COMPENSATION FOR TOWN STAFF

Depending on the size and type of event, the Town of Summerville may require Town personnel including Police, Fire & Rescue, Public Works and/or Parks & Recreation to work the event. All Town personnel involved during the day(s) of the event will be charged back to the organizing agency. The Town shall determine the number necessary to ensure the safety of participants, minimize the inconvenience to our residents and reduce the public liability exposure to the organizing agency, as well as the Town. The final bill will be transmitted to the organizing agency within thirty (30) days after the completion of the event.

TOWN-OWNED PROPERTY

The Town of Summerville does not allow the use of any Town-owned property for the purpose of profit (unless for charitable donations). No admission fees can be charged except entry fees to races/walks for the purpose of raising funds for a designated 501(c) 3 charity.

Special rules, regulations and restrictions unique to each site or facility may apply. Event permit holders will be given information specific to the site that they are requesting to use if applicable.

Events at the Cuthbert Community Center, Depot Building at Doty Park and the use of the Gazebos in Azalea Park have separate permit applications, fees, rules and regulations.

Most public property cannot be reserved for the exclusive use of one group, and access to the general public must be available at all times.

No staking is allowed in Town of Summerville Parks due to irrigation systems.

Fastening or attaching any rope, sign, banners, fliers or other objects to any tree, shrub, and park feature including light poles on any Town of Summerville property is strictly prohibited.

The Town of Summerville does not provide water or additional power at any of the parks. If additional power is needed the event host must provide generator power.

The location of all toilets, hand wash stations and garbage receptacles must be approved by the Town of Summerville. Toilets, hand wash stations and garbage receptacles may be set-up no earlier than 24 hours in advance of the event and must be removed from Town property within 24 hours post event. If the event is on a Saturday, items can remain until 8:00 AM Monday unless there is an event scheduled for that Sunday.

The clean-up and removal of all trash is the sole responsibility of the event host. Garbage receptacles provided in various

parcs are for general, daily park use and may not be utilized for special event waste.

CERTIFICATE of INSURANCE

A certificate of insurance naming the Town of Summerville as an also insured will be required for all Major Events as defined in the addendum to this application and in some cases, for smaller events as determined by the Town of Summerville.

All events that include the use of fireworks, live animals, motorized vehicles or equipment, inflatables (jump castles etc.) or other amusement rides are required to obtain a copy of the contracting companies certificate of liability insurance naming the Town of Summerville as an also insured on general liability.

Events that include amusement rides must also provide a copy of the inspection report from the South Carolina Office of Elevators and Amusement Rides.

LICENSES and PERMITS

The Event Permit Holder is solely responsible for obtaining all of the following (applicable) licenses and permits and must submit copies to the Town of Summerville no later than ten (10) business days prior to the event.

- SC Dept. of Revenue Retail License
- Town of Summerville Business License
- SC Dept. of Revenue Special Event Beer, Wine and/or Liquor License

- SC DHEC Food Service Permit
- SC Dept. of Elevators and Amusement rides inspection report
- SC Dept. of Labor, Licensing & Regulations Commercial Outdoor Display Permit

Failure to remit copies to the Town of Summerville may result in the redaction of the event permit.

BUSINESS LICENSES

Per section 8-31 of the Town of Summerville Code of Ordinances all participating businesses, vendors, musical acts etc. must obtain a Town of Summerville Business License prior to participating in special events. A special event business license may be obtained no more than two (2) times per calendar year at a rate of \$10 for in-town businesses and \$20 for out of town businesses. Vendors that plan to participate in two or more events per year should apply for a regular business license at a base rate (\$50)

The event organizer may include the Business License fee in the vendor packet and obtain a business license on behalf of the vendor or the vendor may procure the license themselves no later than five (5) business days prior to the event.

Event organizers must provide the Town of Summerville Business License Office with a detailed list of all vendors no later than ten (10) business days prior to the event.



**TOWN OF SUMMERVILLE
SPECIAL EVENT PERMIT APPLICATION
PURSUANT TO
TOWN OF SUMMERVILLE CODE**

Date of Application Submission: _____

Name of Festival or Special Event: _____

Location and/or Route of the Event: _____

Note: A map must be attached to the application for all road races and/or parades. If requesting the use of Hutchinson Square attached the signed Hutchinson Square Addendum to the permit application.

Proposed Date(s) of Event: _____

Alternate Date(s) for Event: _____

Event Setup time: _____ **Actual Event:** _____ **to** _____ **Breakdown time:** _____

Estimated number of attendees (including event staff): _____

Requesting Organization: _____

Address: _____

Permit Holder/Event Point of Contact: _____

Mobile Number: _____ **Email:** _____

Additional Authorized Contact: _____

Mobile Number: _____ **Email:** _____

Purpose of the Event: _____

Planned Activities: _____

Note: A proposed schedule of events must be attached to the application

Will inflatables, amusement rides or fireworks be used at the event? _____ Yes _____ No

If yes, explain: _____

Will motorized vehicles, equipment or animals be used for the event? _____ Yes _____ No

If yes, explain: _____

Do you plan to have food trucks/vendors of any kind with items for sale? _____ Yes _____ No

Does your event require the use of utility services such as power or water? _____ Yes _____ No

Note: Any additional utilities must be provided at the applicant's expense

_____ **Initial** I understand that garbage collection bins are required for all events. The clean-up and removal of all trash is the sole responsibility of the event host. Garbage receptacles provided in various parks are for general, daily park use and may not be utilized for special event waste. Failure to adhere to this policy will result in the forfeiture of deposit.

_____ **Initial** I understand Additional facilities must be provided (at the expense of the applicant) for any event that has an anticipated crowd of 250 people or more. The location of all toilets and hand wash stations must be approved by the Town of Summerville. Toilets and hand wash stations may be set-up no earlier than 24 hours in advance of the event and must be removed from Town property within 24 hours post event. If the event is on a Saturday, items can remain until 8:00 AM Monday unless there is an event scheduled for that Sunday. Failure to adhere to this policy will result in the forfeiture of deposit.

_____ **Initial** I understand that any/all entertainment including live performances and/or guest speakers shall refrain from the use of profanity. Failure to adhere to this policy will result in the forfeiture of deposit.

_____ **Initial** I understand the event must accommodate the special needs of disabled persons whose rights are protected under the Americans with Disabilities Act (ADA) and who choose to participate in the event.

_____ **Initial** I understand that fire hydrants & sidewalk curb breaks that are used for ADA accessibility may not be blocked at any time.

Do you plan to serve (at no charge) alcoholic beverages at the event? _____ Yes _____ No

Do you plan to sell alcoholic beverages (of any kind) during the event? _____ Yes _____ No

If you answered yes to either of the above questions, how do you plan to ensure/enforce that only those that are of legal drinking are consuming/purchasing alcohol?

_____ **Initial** I understand that the issuance of this permit shall in no way affect the enforcement/persecution of violations of disorderly conduct, public intoxication or any other Town of Summerville ordinance or South Carolina law.

Describe in detail your plan to control parking, crowds, and vehicular traffic:

List any/all streets which may need to be closed during the event (include date and times of proposed closures):

Are you requesting barricades for road closures (fees may apply)? _____ Yes _____ No

Note: If yes, include a list of location(s) and a map designating the location of each barricade.

Please provide any additional information that may be helpful:

RELEASE and INDEMINFICATION

In consideration for being permitted to use public facilities and/or facilities owned by the Town of Summerville, Applicant agrees to indemnify, release and hold harmless the Town of Summerville, its officers, employees and insurers from and against all liability, claims, and demands which are incurred, made or brought by any person or entity on account of damage, loss or injury, including, without limitation, claims arising from property loss or damage, bodily injury, personal injury, sickness, disease, death, or any other loss of any kind whatsoever which arise out of or are in any manner connected with the use of the facilities whether any such liability, claims, and demands result from the act, omission, negligence, or other fault on the fault of the Town of Summerville, its officers, or its employees or from any other cause whatsoever. Your organization is fully responsible for complying with all applicable laws and safety procedures. This permit does not authorize you to enter upon private property or in any way hinder or obstruct pedestrian or vehicular traffic. In order to protect the general health, safety and public welfare of its citizens, The Town of Summerville reserves the right to deny and/or modify the conditions of this permit or to cancel it entirely if it is deemed appropriate by the Town of Summerville.

Application Submitted By: *Name and Title* _____

Signature: _____ Date: _____

SCHEDULE OF FEES AND CHARGES FOR SPECIAL EVENTS

Application	\$100.00 - \$200.00 varies as noted above
Police Officers	\$25.00/hour per officer
Fire Inspector (special inspection)	\$30.00
Parks and Recreation Staff	varies/per hour per staff member
Barricades	\$25.00 per barricade, per day

DAMAGE/REPAIR/CLENUUP

If for any reason there is damage to any part of the area, which was reserved for the special event, or damage to another area as a direct result of the event, the extent of damage, as determined by the sole discretion of the Town of Summerville, shall be determined and the dollar amount of any repair or replacement and restitution will be billed to the applicant to be paid in full no more than thirty (30) days from the billing date. If payment is not received within the allotted time, all future special event permit requests will be denied until such time as payment is received.



TOWN OF SUMMERVILLE SPECIAL EVENT PERMIT APPLICATION HUTCHINSON SQUARE ADDENDUM

* The use of Hutchinson Square for Events/Festivals that include the closing Little Main Street, Doty Avenue or W. Richardson Street will not be permitted before 3:00 PM (or later) Monday – Saturday. The above roads may be closed at any time on Sundays.

Unless otherwise stated by the Town of Summerville Little Main Street may not be closed to outgoing traffic prior to 5:15 PM Monday – Saturday.

Event organizers may begin event set-up in the park prior to the times listed above as long as set-up does not involve road closures or blocks public access to the roads/sidewalks.

Event set-up in the grass area adjacent the railroad tracks is strictly prohibited.

Event equipment, tents, vendors, food trucks etc. may not be setup on the store front sides of Little Main St. This section of the roads must remain open to allow for emergency vehicle access.

Unless otherwise stated by the Town of Summerville the closing of 17-A/Main Street. is not permitted.

The installed Electrical Power Outlets in the park are set on a timer. If your event requires the use of the power outlets please indicate what time you are requesting the power to be turned on _____ off _____.

If you are requesting any road closures for your event please attach the Summerville DREAM acknowledgement form to this addendum.

Signs must be placed as closely and as visibly as possible to the road closure site notifying the public of the time of the road closure No later than five (5) hours prior to all road closures.

By signing this addendum I understand that failure to comply with the above will lead to the special event permit being revoked and/or may prohibit my organization from being issued a special event permit in the future. I further understand that the rules and restrictions outlined in this addendum are in addition to the established rules/guidelines/procedures outlined in the Special Event Permit Application.

Event Organizer: *Name and Title* _____

Signature _____ Date _____

* Does not apply to temporary road closures for road/bike races.



SUMMERVILLE
DREAM

Downtown Summerville Special Event Permit Request

DREAM Acknowledgement Form

Name of Festival or Special Event: _____

Location of the Event: _____

Proposed Date(s) of Event: _____

Alternate Date(s) for Event: _____

Event Setup time: _____ **Actual Event:** _____ **to** _____ **Breakdown time:** _____

Estimated number of attendees (including event staff): _____

Requesting Organization: _____

Permit Holder/Event Point of Contact: _____

Mobile Number: _____ **Email:** _____

List any/all streets which may need to be closed during the event (include date and times of proposed closures):

The undersigned DREAM representative acknowledges notification of the above-referenced event and road closure(s).

Authorized Official: *Name and Title* _____

Signature _____ **Date** _____

The DREAM Office is located on the 2nd Floor of the First Citizens Bank Building directly behind Town Hall

ORDINANCE NO. _____

**AN ORDINANCE AMEND CHAPTER 2, ARTICLE II, DIVISIONS 2 AND 3 OF
THE CODE OF ORDINANCES FOR THE TOWN OF SUMMERVILLE
ENTITLED "MAYOR" AND "COUNCIL MEETINGS"**

BE IT HEREBY ORDAINED BY the Mayor and Council of the Town of Summerville, in a meeting duly assembled, that the Code of Laws of the Town of Summerville be hereby amended by amending sections 2-61, 2-62, 2-63, 2-66, 2-69, 2-94, 2-95, and 2-97 as follows:

~~Sec. 2-61. — To be chief executive officer. — [Reserved]~~

~~The mayor shall be the chief executive officer of the town.~~

Sec. 2-62. - Direction of executive officers.

The mayor shall *not* have ~~power~~ *authority* to give such direction to the town administrator, or ~~in the absence of the administrator~~, to any of the department heads of the town ~~as authorized by state law or town ordinances, or as delegated by the town council.~~ *unless such authority is given by a majority vote of town council.*

~~Sec. 2-63. — Duties relative to subordinate officers.~~

~~The mayor shall inspect the conduct of all subordinate officers in the exercise and discharge of their duties and, as far as in the mayor's power, cause all negligence, carelessness and positive violation of duty to be duly prosecuted and punished.~~

Sec. 2-63. — *Authority to add items to agenda.*

During the finance committee meeting held prior to any regularly scheduled meeting, any two members of council shall have the authority to add any item to the agenda for all regular meetings of town council.

Sec. 2-64. – Inspection of books and records.

The mayor *and town council* shall *together* have power to inspect such of the books, papers and records of the public officers of the town, and of the boards and committees under the authority of the council, as may in the ~~mayor's council's~~ judgement be of assistance to the mayor *and council's* in the discharge of such officer's duties.

Sec. 2-65. – Authority to require officers to furnish reports.

The mayor *and town council* may *together* call upon any officer of the town and members of the boards to furnish, in writing, any information connected with any of their respective offices.

~~Sec. 2-66. – Suppression of riots and preservation of order. [Reserved]~~

~~It shall be the duty of the mayor to take prompt measures for the suppression of riots and for the preservation of good order in the town, for which purpose the mayor shall have power to require all the town officers and, if necessary, the citizens, to aid and assist such officers.~~

Sec. 2-69. - Compensation of mayor and members of town council.

(a) Mayor: *The annual compensation for the Mayor shall be \$15,000 effective as of the first Wednesday, of January 2018; and*

~~(1)The salary of the current mayor is increased to \$45,000.00 effective as of the first Wednesday of January 2014; and~~

~~(2)The increase in the current mayor's salary to \$45,000.00 shall revert to \$15,000.00 as of December 31, 2015, unless addressed by town council after the seating of the three members elected in the November 2013 election.~~

(b) *Council:* The annual compensation of town council members shall be \$7,500.00.

(c) Compensation of the mayor and town council shall be paid biweekly.

Sec. 2-94. - Required attendance. Modified

It shall be the duty of the council members to attend the regular meetings of the council and, when notified, to attend all special meetings. ~~called by the mayor or a majority of the council.~~
~~The mayor shall have the power to excuse members if, in his discretion, conditions warrant.~~

Sec. 2-95. - Presiding officer; quorum.

Immediately at the hour appointed for a council meeting, the ~~mayor~~ *presiding officer* shall take the chair and, if a quorum is present, proceed to business. A majority of the seven members of the council (four) shall constitute a quorum.

Sec. 2-97. - Order of business.

The order of the proceedings of the council at regular meetings of the council shall be as follows:

- (1) Invocation and Pledge of Allegiance;
- (2) Public comments;
- (3) Approval of the minutes of the last regular meetings and any special meetings held subsequent to the last regular meeting;
- (4) Petitions for annexation;
- (5) Reports from committees;
- (6) Second reading of pending bills;
- (7) Introduction of bills and resolutions;
- (8) Miscellaneous business;

(9) Adjournment.

~~The council shall have the authority, by a simple majority, to add or delete items from the agenda.~~

Sec. 2-98. - Addressing council by member.

- (a) Every member of the council, when about to speak, shall address the mayor as "Mr. Mayor" or "Madam Mayor," as the case may be, and in speaking shall avoid all disrespect to the council and all personalities, and shall confine remarks to the subject under consideration.
- (b) Citizens addressing the council during the "public comments" portion of the meeting must provide their name and address and shall do so only after being recognized by the ~~mayor~~ or presiding officer. Public comments are limited to five minutes or less unless otherwise specifically authorized by the ~~mayor~~ or presiding officer. Citizens' remarks should be directed to the council itself, rather than the audience or specific individuals in the audience. The ~~mayor~~ *presiding officer* may direct that extended comments are provided in writing.

2-99. – Recognition of speakers.

The member or citizen during public comments who shall rise or seek recognition of the chair first shall be first heard. If several members or citizens, during public comments, shall rise at the same time, the ~~mayor~~ chair shall determine who shall speak first.

Ordinance No. _____

Page 5

Done this _____ day of _____, 2015, at Summerville, South Carolina.

William C. Collins, Mayor

Attested to:

Lisa Wallace, Clerk of Council

**AN ORDINANCE AMEND CHAPTER 2, ARTICLE IV, DIVISION 2 OF THE
CODE OF ORDINANCES FOR THE TOWN OF SUMMERVILLE ENTITLED
"TOWN ADMINISTRATOR"**

BE IT HEREBY ORDAINED BY the Mayor and Council of the Town of Summerville, in a meeting duly assembled, that the Code of Laws of the Town of Summerville be hereby amended by amending sections 2-213, 2-214, and 2-215 as follows:

Sec. 2-213. - Supervision.

The town administrator reports directly to the mayor and town council as a whole. ~~In addition, the administrator reports specifically to the mayor on day to day operational and other matters concerning the town.~~ The administrator shall also compile information, investigate problems, perform administrative services and offer advice to the mayor and individual members of town council as requested by such councilmembers; provided, however, that in any situation where the administrator deems it appropriate, such request for administrative assistance may be presented to the entire town council for approval.

Sec. 2-214. - General duties, responsibilities and delegation of authority.

The town administrator performs such duties as directed by the mayor and council. Additional duties of the administrator include, but are not limited to, the following:

- (1) Supervise preparation of and submit to town council not later than November 1 of each year a balanced, proposed annual budget for the ensuing fiscal year.
- (2) Recommend organizational changes and assist in formulation of internal plans, programs and policies of the town for consideration of the town council.

- (3) Supervise all appointed department heads and their departments as well as any nondepartment head employees reporting directly to the administrator. Plan, direct, monitor and coordinate activities of all town departments and functions.
- (4) Coordinates the activities of town government with all other agencies, including other town agencies, county, state and federal agencies.
- (5) Appoint, with the approval of the town council, department heads- ; ~~Suspend department heads~~, and, with the prior approval of town council, *suspend or* dismiss department heads. Suspend other employees or dismiss employees after consulting with their department head.
- (6) Administer the annual budget after adoption by the town council. Administer the town personnel and
- (7) With the assistance of the finance director, monitor the financial condition of the town, estimate present and future financial needs, and report regularly to the town council on the financial condition and needs of the town.
- (8) Authorize changes in departmental budget line items, provided that the overall departmental appropriation does not change.
- (9) Review all legal matters affecting the town and serve as the primary point of contact with the town attorney.
- (10) Implement the policies and directives of the town council. Attend all council meetings unless excused by the mayor or unless out of town on town business or too ill to attend such meeting.
- (11) Delegate to other employees under the administrator's supervision the authority to exercise specific official duties and responsibilities as may be appropriate. With the approval of the mayor *and council*, the administrator may also designate a qualified

employee of the town to act during the administrator's absence. In the absence of the administrator where no such designation has been made, the mayor *and council* may designate an acting administrator.

- (12) Select and employ, with the approval of the town council, a person to serve as assistant town administrator, provided that the town council has included funding for such provision in the annual budget.

Sec. 2-215. - Authority.

Except for purposes of inquiry or routine reporting of problems including constituent requests, *the mayor and* individual members of the town council shall deal with employees of the town only through the administrator. In order to avoid potential liability, deviation from town policies and practices, and conflicting instruction, no member of the town council, *including the mayor*, shall give orders, directions or instructions directly to town employees other than the administrator. ~~The mayor shall, where practicable, also issue orders and directives through the town administrator; provided, however, that when the mayor deems necessary and in the best interests of the town, the mayor may deal directly with town department heads.~~

Done this _____ day of _____, 2015, at Summerville, South Carolina.

William C. Collins, Mayor

Attested to:

Lisa Wallace, Clerk of Council