



**Town of Summerville
Council Meeting
Summerville Municipal Complex
Wednesday, July 8, 2015 at 7:30 p.m.**

A G E N D A

- 1. Invocation and Pledge of Allegiance – Bob Jackson**
- 2. Public Comment**
- 3. Approval of Minutes of Previous Meetings**
 - a. Council Meeting, June 10, 2015
- 4. Approval of Council Committee Reports**
 - a. Finance Committee Report, July 6, 2015
 - b. Parks and Recreation Committee Report, July 1, 2015
 - c. Planning and Development Committee Report, July 1, 2015
- 5. Petitions**
 - a. Authorization to accept the petition and have first reading of an ordinance to annex TMS# 144-16-03-001 located at 105 King Charles Circle to be zoned R2, "Single Family Residential"
 - b. Authorization to accept the petition and have first reading of an ordinance to annex TMS# 144-03-01-001 located at 111 Longleaf Drive to be zoned R2, "Single Family Residential"
 - c. Authorization to accept the petition and have first reading of an ordinance to annex TMS# 129-12-04-014, 3.07 acres located at 1507 W. 5th N. Street to be zoned B3, "General Business"
- 6. Pending Bills and Resolutions**
 - a. Second and final reading of an ordinance to annex TMS #144-16-02-008 located at 114 King Charles Circle to be zoned R2 "Single Family Residential"
 - b. Second and final reading of an ordinance authorizing a quit-claim deed to Summerville CPW for portions of W. 1st North Street, W. 2nd North Street and N. Cedar Street rights-of-way
 - c. Second and final reading of an ordinance authorizing a quit-claim deed to Nancy Deitch for a portion of Briarwood Lane right-of-way
 - d. Second and final reading of an ordinance to rezone TMS #'s 130-10-00-027, 130-10-00-028, 130-10-00-087, 130-10-00-089, 130-14-00-019 and portions of 130-14-00-003 located at 500 Bryan Street to R2, "Single Family Residential"
 - e. Second and final reading of an ordinance to amend Section 16-5 of the Code of Laws of the Town of Summerville to clarify the definition of "Public Place"
- 7. Introduction of Bills and Resolutions**

8. Miscellaneous

- a. Authorize Mayor to execute a Joint Use Agreement between the Town of Summerville and the Summerville Family YMCA to improve parking area for the Sawmill Branch Trail at the Oakbrook Family YMCA
- b. Authorize Mayor to execute a Memorandum of Understanding between the Town of Summerville, Marymeade Investment Partners, LLC and Marymeade Associates Limited Partnership

9. Adjourn

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
JUNE 10, 2015**

ATTENDANCE

Present: Mayor Bill Collins and Council members Walter Bailey, Aaron Brown, Kima Garten-Schmidt, Bob Jackson, 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, June 10, 2015. The meeting was opened with prayer by Mr. Brown, followed by the Pledge of Allegiance.

PRESENTATION FROM SCDOT

Joey Riddle of the S.C. Department of Transportation briefed Council on their plans for right-of-way improvements on S. Main Street to address some safety concerns at the 90 degree curve. He explained that there will be approximately 4 pine trees removed and underbrush cleared in addition to providing a drainage ditch to help remove water from the roadway. Mayor Collins thanked Mr. Riddle for the information.

PUBLIC COMMENTS

Mayor Collins called for any comments from the public. Melvin McClellan of the Robynwyn subdivision reported that the garbage collection company seems to be taking their time, missing days, and not picking up all of the debris. He also reported that the ditch in his area has been dug out but that water stays in the ditch and does not drain and asked the town to look into it. Johnelle Whetsell, a former member of the Brownsville community and a current resident of 105 Winter Drive, reported that she has also seen garbage sitting out for an entire week and has had to wait for long periods of time for bulk pick up. She asked if it was a shortage of drivers or if they are just told to go home at a certain time before the job is done. She added that if the job is too big for Waste Pro then maybe the town should consider someone else. Donnie Gamble owns a veterinary practice on Trolley Road and supports a lot of charities in the area. He reported that a 501(c)3 organization out of Columbia is operating a mobile veterinary clinic that sets up all over the state but mostly in close proximity to veterinary clinics adding that 100% of the proceeds go to support the shelter in Columbia and does not provide any support for the shelters in this area. He asked both the town and the county to look into this but no one seems to know how to address the problem because there appear to be jurisdictional issues. Jen Ruzikio of

WastePro apologized to the homeowners for any issues with their garbage collection reporting that there have been a few glitches that needed to be worked out. She introduced Jeff Barnes as a member of the executive team who will be addressing some of the service issues that Summerville has been experiencing. Mr. Barnes added that WastePro is committed to making this work and has hired new drivers and additional supervisors in addition to some changes in the maintenance staff. Councilman Brown stated that he voted against renewing the contract with WastePro because of the problems he has been experiencing in his district. He also read an email from Paul Bailey concerning the litter and garbage problem and thanked people for speaking out on the issue. Mayor Collins reported that as soon as the problem in Mr. Bailey's letter was reported to the Public Works Department, it was cleaned up the same day.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

Mr. Brown made a motion, seconded by Mr. Jenkins, to approve the minutes of the May 13, 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 June 8, 2015 Finance Committee Report, the June 3, 2015 Public Works Committee Report and the June 3, 2015 Planning and Development 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 #144-16-02-008 located at 114 King Charles Circle to be zoned R2 "Single Family Residential". The motion carried unanimously.

PENDING BILLS AND RESOLUTIONS

Mr. Jenkins made a motion, seconded by Mr. Jackson, to have second and final reading of an ordinance authorizing the transfer of properties located at 208 Cedar Street and 210 A & B W. Richardson Avenue (also known as the Finucan property) from the Town of Summerville to the Summerville Redevelopment Corporation. The motion carried unanimously.

INTRODUCTION OF NEW BILLS AND RESOLUTIONS

Mr. McIntosh made a motion, seconded by Ms. Garten-Schmidt, to introduce and have first reading of an ordinance authorizing a quit-claim deed to Nancy Deitch for a portion of Briarwood Lane right-of-way. The motion carried unanimously.

Mr. Brown made a motion, seconded by Mr. Jackson, to introduce and have first reading of an ordinance to rezone TMS #'s 130-10-00-027, 130-10-00-028, 130-10-00-087, 130-10-00-089, 130-14-00-019 and portions of 130-14-00-003 located at 500 Bryan Street to R2, "Single Family Residential". The motion carried unanimously.

Mr. McIntosh made a motion, seconded by Mr. Jenkins, to introduce and have first reading of an ordinance to amend Section 16-5 of the Code of Laws of the Town of Summerville to clarify the definition of "Public Place". Mr. Bailey pointed out a couple of typographical errors and Ms. Wallace reported that they would be corrected prior to second reading. The motion carried unanimously.

MISCELLANEOUS

Mr. Bailey asked if SCDOT needs a motion or vote from council to do the roadway improvements on S. Main Street. Mr. Cornette indicated that there was no need for a formal vote or approval of the project.

EXECUTIVE SESSION

Ms. Garten-Schmidt made a motion, seconded by Mr. Bailey, to enter into executive session to discuss legal matters related to pending litigation and to receive legal advice on accommodation tax fund distributions. Council returned to public session at 8:35 p.m. and Mr. Parker announced that the accommodation tax fund distribution item was deferred until a later time and there was no action taken on the pending litigation.

ADJOURN

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

Respectfully submitted,

Lisa Wallace, Director of Administrative Services
Clerk and Treasurer

APPROVED:

William C. Collins, Mayor

**TOWN OF SUMMERVILLE
FINANCE COMMITTEE REPORT
JULY 6, 2015**

The Finance Committee met at 8:00 a.m. on Monday, July 6, 2015 in the Training Room of the Summerville Municipal Complex. Present were Mayor Bill Collins and Council members Walter Bailey, Aaron Brown, Kima Garten-Schmidt, Terry Jenkins and Bill McIntosh. Bob Jackson 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 June 2015 financial report. The report was accepted as information.
Approval of Financial Requisitions	There were no requests for financial requisitions.
Discussion of Council Committee Reports	<p>In the absence of Committee Chairman Jackson, Mr. Brown gave the report of the July 1, 2015 Parks and Recreation Committee meeting. One of the items discussed was a Joint Use Agreement between the Town and the Summerville Family YMCA which will be on the upcoming Council agenda for approval. The second item discussed was the proposed Miracle League Field improvements in which the committee recommended approval to be considered by full council. Mr. Brown made a motion, seconded by Ms. Garten-Schmidt, to approve the proposed improvements to the Summerville Miracle League field. The motion carried unanimously and the report was accepted as information.</p> <p>Mr. McIntosh gave the report of the July 1, 2015 Planning and Development Committee meeting stating that the items discussed at that meeting have been recommended for approval and have been forwarded to full council for consideration. The report was accepted as information.</p>
Discussion of Proposed/Upcoming Council Agenda Items	There were no questions about the upcoming council meeting agenda.
Miscellaneous	<p>Mr. Bailey made a motion, seconded by Mr. Brown, to consider the recommendations of the State Accommodations Tax Advisory Committee individually. The motion carried unanimously. The Finance Committee approved the following recommendations:</p> <p>\$10,000 for Flowertown Players on motion of Mr. McIntosh, seconded by Mr. Brown; \$7,012.97 for the Sculpture in the South on motion of Mr. Bailey, seconded by Mr. Jenkins; \$7,000 for the Summerville Orchestra 9-11 concert on motion of Mr. McIntosh, seconded by Ms.</p>

Garten-Schmidt; \$10,000 for the Summerville Orchestra 2015-2016 season on motion of Mr. Brown, seconded by Mr. Jenkins; \$20,000 for Summerville D.R.E.A.M. tourism advertising on motion of Mr. Jenkins, seconded by Ms. Garten-Schmidt; \$57,125 to Summerville Family YMCA on motion of Mr. Jenkins, seconded by Mr. McIntosh; \$2,600.00 to Francis Willis SPCA Pawker Run on motion of Mr. Bailey, seconded by Ms. Garten-Schmidt; \$5,000 for Summerville Italian Festival on motion of Mr. Jenkins, seconded by Mr. McIntosh; \$5,000 for Oakbrook Riverfest on motion of Mr. McIntosh, seconded by Mr. Jenkins; and \$1,000 for Berkeley County Museum Agriculture Display on motion of Mr. Bailey, seconded by Mr. McIntosh. Each of these motions carried unanimously.

The Finance Committee denied the recommendation to fund \$2,500 for the Community Resource Center Kwanza Parade and Festival due to a tie vote – Mayor Collins, Ms. Garten-Schmidt and Mr. McIntosh voted in favor of the recommendation. Mr. Bailey, Mr. Brown and Mr. Jenkins voted against the recommendation citing a need for other sources of funding and at least a 2 years of prior success.

The Finance Committee denied the recommendation to fund \$20,000 for Summerville Trolley Service advertising due to a tie vote – Mayor Collins, Ms. Garten-Schmidt and Mr. Jenkins voted in favor of the recommendation and Mr. Bailey, Mr. Brown and Mr. McIntosh voted against the recommendation citing concerns about funding for a private organization.

Mr. Brown made a motion, seconded by Ms. Garten-Schmidt, to approve a substantial amendment to the 2014 CDBG Action Plan to reallocate \$10,561 of unused funding for lighting upgrades for Doty Park tennis courts. The motion carried unanimously.

Ms. Garten-Schmidt made a motion, seconded by Mr. Jenkins, to authorize the Chief of Police to present Roger Medlock with a Glock model 22, SN UPE917, upon his retirement from the Summerville Police Department. The motion carried unanimously.

Mike Dawson, representing the S.C. Audubon Society, presented the Finance Committee with a proposal and rendering of a mural for the stairwell of the Short Central side of the parking garage. Mr. McIntosh made a motion, seconded by Mr. Brown, to authorize the mural to be placed on the town-owned building noting that the proposal would go before the Board of Architectural Review for approval. The motion carried with Mayor Collins, Ms. Garten-Schmidt, Mr. McIntosh, Mr. Jenkins and Mr. Brown voting in favor of the motion and Mr. Bailey voting against the motion.

Executive Session	<p>Mr. Brown made a motion, seconded by Mr. Jenkins, to enter into executive session at 8:53 a.m. to discuss contractual matters related to infrastructure provisions for an economic development project and to receive legal advice and discuss contractual matters related to the transfer, reimbursement, and payment of funds for the Dorchester project. The motion carried unanimously.</p> <p>The Finance Committee returned to public session at 9:16 a.m. and announced that no action was taken.</p> <p>Ms. Garten-Schmidt made a motion, seconded by Mr. Jenkins, to authorize the transfer of \$200,000 from the Town of Summerville fund balance to the Summerville Redevelopment Corporation to cover interim expenses until the upcoming bond issue noting that the fund balance would be reimbursed with bond proceeds. The motion carried unanimously.</p>
Adjourn	There being no further business, the meeting adjourned at 9:18 a.m.

Respectfully submitted,



Lisa Wallace
Director of Administrative Services
Clerk/Treasurer



TOWN OF SUMMERVILLE PARKS & RECREATION DEPARTMENT

"Creating Sense of Place Through Parks & Play"

TO: Parks & Recreation Committee

CC: Russ Cornette, Public Works Director

FROM: Doyle Best, Parks & Recreation Manager

DATE: July 2, 2015

RE: July 2015 Parks & Recreation Committee Meeting Minutes

The Parks & Recreation Committee met on Wednesday, July 1, 2015 in the second floor training room of the Town Hall Annex / Administrative Offices building. Present at the meeting were committee chairman/council member Bob Jackson, committee/council members Aaron Brown and Kima Garten-Schmidt, and Parks & Recreation Manager, Doyle Best. Members of the press were duly notified and present. Chairman Jackson called the meeting to order at 4:00 PM.

The first agenda item was discussion of a joint use agreement between the Town and the Summerville Family YMCA. Mr. Best informed the committee of his intent to apply for a Parks and Recreation Development Fund Grant through SC Department of Parks, Recreation, and Tourism. The funding that is currently available for our county is \$18,727.92, which would be used to improve the parking area at the southern end of the Sawmill Branch Trail at the Oakbrook YMCA. In order to use grant funds on property not owned by the Town, a joint use agreement must be in place between the property owner (Summerville YMCA) and the governmental body (Town of Summerville). The joint use agreement has already been reviewed and approved by the Town's attorney, as well as by the Summerville YMCA. Committee member Garten-Schmidt made a motion (seconded by committee member Brown) to send the item to full council with recommendation for approval. The motion passed unanimously. [*Item to be on Town Council agenda for Wednesday, July 8*]

The next agenda item was the Summerville Miracle League Facility at Saul Alexander Playground. Mr. Best informed the committee of a request from the Summerville Miracle League Board to make permanent improvements to the Miracle League facility. These improvements include adding additional landscaping, hardscapes and sidewalks, concrete

Mailing: 200 South Main Street | Summerville, SC 29483
Physical: 515 West Boundary Street | Summerville, SC 29483
Office: (843)851-5211 | Fax: (843)851-5214

seat walls, memorial plaques on the existing concession stand building, and a small water feature. Summerville Miracle League will oversee the installation of all improvements and will be responsible for all costs associated with the improvements. Committee member Brown made a motion (seconded by committee member Garten-Schmidt) to send the item to full council with recommendation for approval. The motion passed unanimously. *[Item to be on Finance Committee agenda for Monday, July 6]*

With no other business to discuss, the meeting adjourned at 4:07 PM.

Respectfully submitted,



Doyle Best
Parks & Recreation Manager

PLANNING AND DEVELOPMENT COMMITTEE

REPORT for

July 1, 2015

4:00 PM

TOWN HALL – BOARDROOM A

200 S. Main Street, Summerville, SC

The Planning and Development Committee of Town Council met on July 1, 2015 at 4:00 PM in the Training Room, Town Hall, 200 S. Main Street, Summerville, SC. Committee members present included Bob Jackson, Council District 6 and Bill McIntosh, Council District 4, Chairman. Walter Bailey, Council District 3 was not able to attend. Staff members present included Madelyn Robinson, AICP, Director of Planning & Economic Development and Jessi Shuler, Zoning Administrator, AICP.

The meeting was called to order at 4:08 PM by Mr. McIntosh following the adjournment of the Parks and Recreation Committee.

New Business:

The first item under new business was the request to annex Dorchester County TMS#144-16-03-001, 105 King Charles Circle, 1 lot, owned by Teresa and Michael Byrnes currently zoned R1, Single Family Residential in Dorchester County and to be zoned R2, Single Family Residential upon annexation into the Town of Summerville's municipal limits (future Council District 5). Ms. Robinson stated that the Planning Commission held a public hearing and made a recommendation for approval at their June 15, 2015 meeting. Mr. Jackson made a motion to recommend approval and Mr. McIntosh made the second. The motion carried.

The second item was the request to annex Dorchester County TMS#144-03-01-001, 111 Longleaf Drive, 1 lot, owned by Regina Huggins currently zoned R2, Single Family Residential in Dorchester County and to be zoned R2, Single Family Residential upon annexation into the Town of Summerville's municipal limits (future Council District 4). Ms. Robinson stated that the Planning Commission held a public hearing and made a recommendation for approval at their June 15, 2015 meeting. Mr. Jackson made a motion to recommend approval and Mr. McIntosh made the second. The motion carried.

The final item was the request to annex Dorchester County TMS#129-12-04-014, 1507 W. 5th N. Street, 3.07 acres, owned by John W. Riley, Jr. currently zoned CLI, Commercial Light Industrial in Dorchester County and to be zoned B3, General Business upon annexation into the Town of Summerville's municipal limits (future Council District 1). Ms. Robinson stated that the Planning Commission held a public hearing and made a recommendation for approval at their June 15, 2015 meeting. Mr. McIntosh asked for clarification on the location of the property and Ms. Robinson provided the Committee the Town's zoning map showing the location of the property. Mr. Jackson made a motion to recommend approval and Mr. McIntosh made the second. The motion carried.

Following no additional business or discussion, the meeting was adjourned at 4:11 by the chairman upon the motion of Mr. Jackson.

Respectfully submitted,



Madelyn Robinson, AICP
Director of Planning & Economic Development

July 2, 2015

ORDINANCE

TO ANNEX TO, AND INCORPORATE WITHIN THE CORPORATE LIMITS OF THE TOWN OF SUMMERVILLE, THE AREA OWNED BY TERESA AND MICHAEL BYRNES ADJACENT TO THE BOUNDARY LINE OF THE TOWN, AS DESCRIBED ON THE DEED AND PREPARED PLAT ATTACHED HERETO AND INCORPORATED BY REFERENCE:

WHEREAS, the owner of the real estate designated as Dorchester County TMS # 144-16-03-001, located at 105 King Charles Circle described as 1 lot on the attached plat; has petitioned the Town Council of the Town of Summerville to annex into the Town of Summerville.

NOW, THEREFORE BE IT ORDAINED by the Mayor and Members of Town Council duly assembled;

SECTION I. That the described land on the attached deed and prepared plat, contiguous to the boundary of the Town of Summerville is hereby annexed to, taken into and made a part of the Town of Summerville and including the public roadway (s) immediately adjacent to the property lines of the parcel for the purposes of providing public service to the parcel.

SECTION II. That the property above described and hereby annexed shall be Zoned R2, Single Family Residential and be classified as R2, Single Family Residential under the Zoning Ordinance of the Town of Summerville.

Ratified this _____ day of _____, 2015 A.D.

William C. Collins, Mayor

Lisa Wallace, Clerk to Council

PUBLIC HEARING: June 15, 2015

FIRST READING: July 8, 2015

SECOND READING: _____



**Annexation of 144-16-03-001
105 King Charles Circle
To be zoned R-2, Single Family Residential**



Legend

Parcels	PL
Annexation Request	PUD
Zoning AC	PUD/DA
B-1	R-1
B-2	R-2
B-3	R-3
I-1	R-5
C-1	R-6
	R-7

0 50 100 200 300 400 Feet



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ORDINANCE

TO ANNEX TO, AND INCORPORATE WITHIN THE CORPORATE LIMITS OF THE TOWN OF SUMMERVILLE, THE AREA OWNED BY REGINA HUGGINS ADJACENT TO THE BOUNDARY LINE OF THE TOWN, AS DESCRIBED ON THE DEED AND PREPARED PLAT ATTACHED HERETO AND INCORPORATED BY REFERENCE:

WHEREAS, the owner of the real estate designated as Dorchester County TMS # 144-03-01-001, located at 111 Longleaf Drive described as 1 lot on the attached plat; has petitioned the Town Council of the Town of Summerville to annex into the Town of Summerville.

NOW, THEREFORE BE IT ORDAINED by the Mayor and Members of Town Council duly assembled;

SECTION I. That the described land on the attached deed and prepared plat, contiguous to the boundary of the Town of Summerville is hereby annexed to, taken into and made a part of the Town of Summerville and including the public roadway (s) immediately adjacent to the property lines of the parcel for the purposes of providing public service to the parcel.

SECTION II. That the property above described and hereby annexed shall be Zoned R2, Single Family Residential and be classified as R2, Single Family Residential under the Zoning Ordinance of the Town of Summerville.

Ratified this _____ day of _____, 2015 A.D.

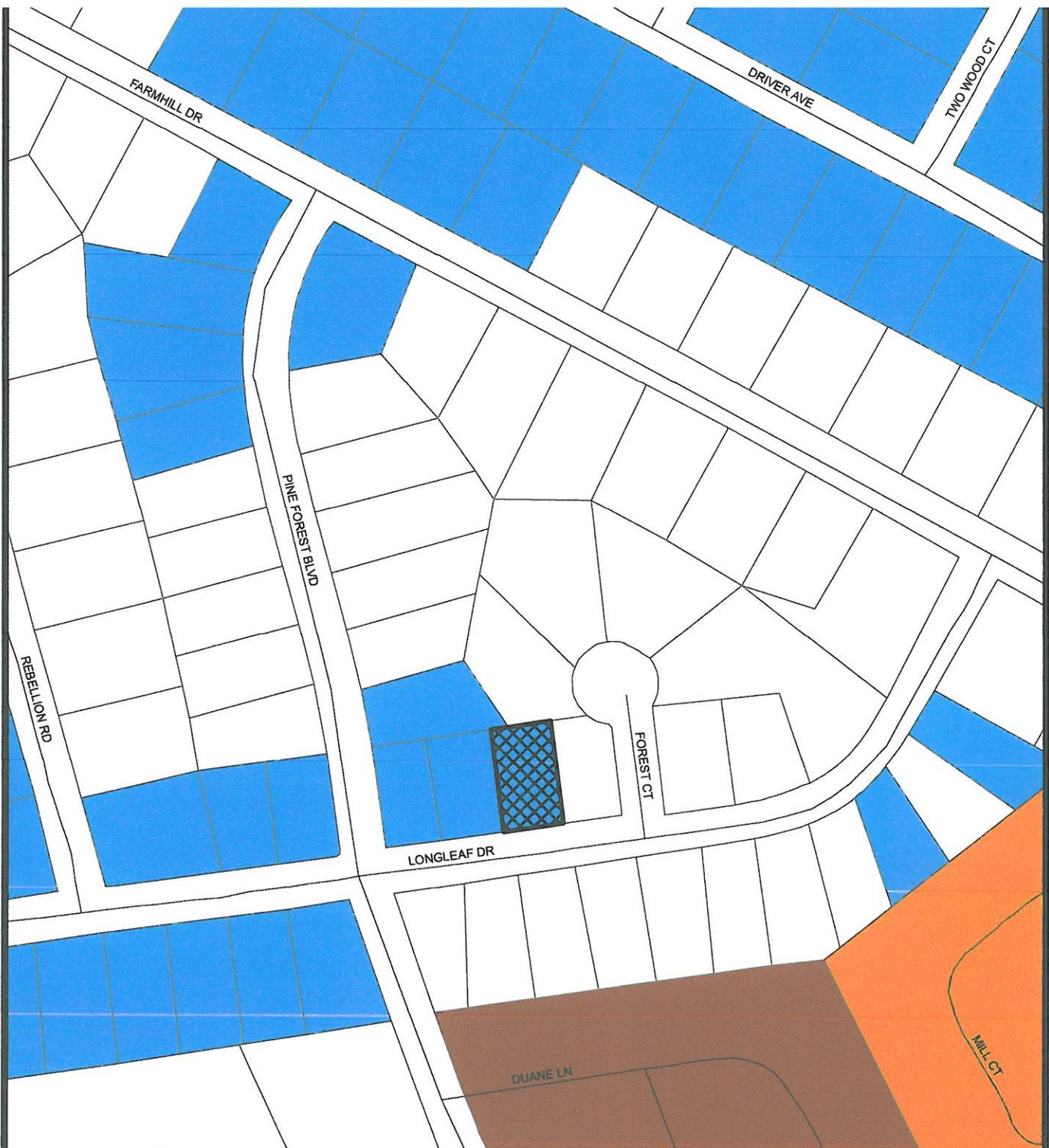
William C. Collins, Mayor

Lisa Wallace, Clerk to Council

PUBLIC HEARING: June 15, 2015

FIRST READING: July 8, 2015

SECOND READING: _____



**Annexation of 144-03-01-001
 111 Longleaf Drive
 To be zoned R-2, Single Family Residential**



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



Disclaimer: This map is a graphic representation of data obtained from various sources. All errors are the responsibility of the user.

ORDINANCE

TO ANNEX TO, AND INCORPORATE WITHIN THE CORPORATE LIMITS OF THE TOWN OF SUMMERVILLE, THE AREA OWNED BY JOHN W. RILEY, JR. ADJACENT TO THE BOUNDARY LINE OF THE TOWN, AS DESCRIBED ON THE DEED AND PREPARED PLAT ATTACHED HERETO AND INCORPORATED BY REFERENCE:

WHEREAS, the owner of the real estate designated as Dorchester County TMS # 129-12-04-014, located at 1507 W. 5th N. Street described as approximately 3.07 acres on the attached plat; has petitioned the Town Council of the Town of Summerville to annex into the Town of Summerville.

NOW, THEREFORE BE IT ORDAINED by the Mayor and Members of Town Council duly assembled;

SECTION I. That the described land on the attached deed and prepared plat, contiguous to the boundary of the Town of Summerville is hereby annexed to, taken into and made a part of the Town of Summerville and including the public roadway (s) immediately adjacent to the property lines of the parcel for the purposes of providing public service to the parcel.

SECTION II. That the property above described and hereby annexed shall be Zoned B3, General Business and be classified as B3, General Business under the Zoning Ordinance of the Town of Summerville.

Ratified this _____ day of _____, 2015 A.D.

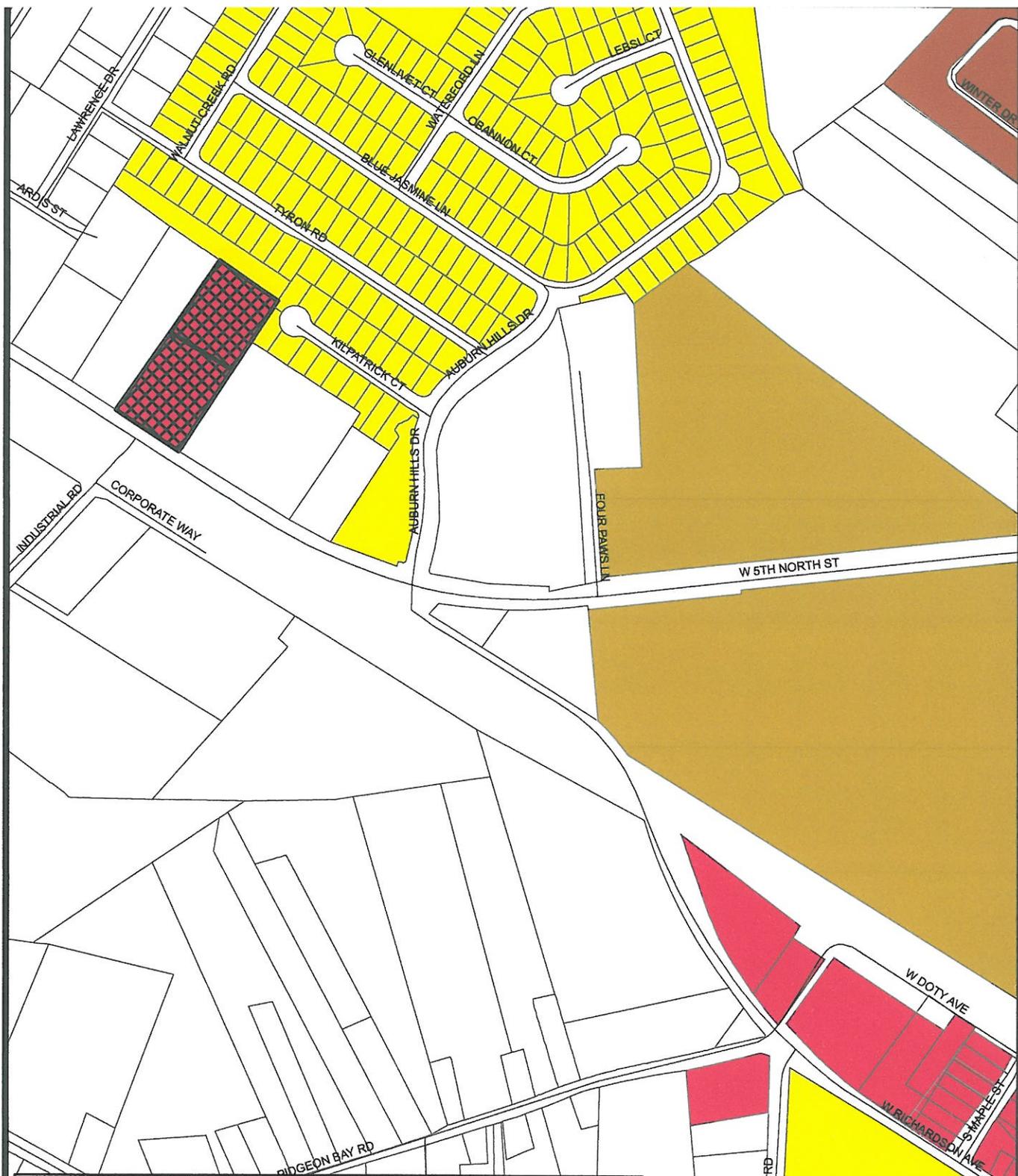
William C. Collins, Mayor

Lisa Wallace, Clerk to Council

PUBLIC HEARING: June 15, 2015

FIRST READING: July 8, 2015

SECOND READING: _____



**Annexation of 129-12-04-014
1507 W. 5th North Street
To be zoned B-3, General Business**

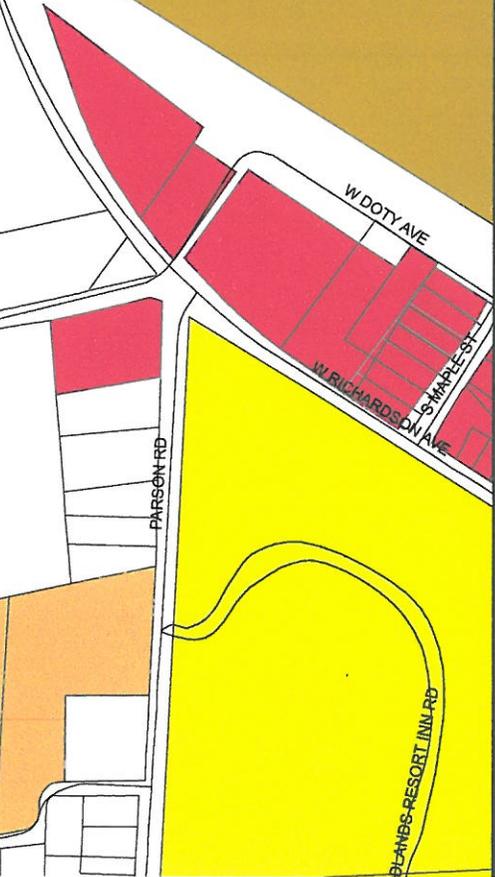


Legend

Parcels	PL
Annexation Request	PUD
AC	PUD/DA
B-1	R-1
B-2	R-2
B-3	R-3
I-1	R-5
I-2	R-6
	R-7



Disclaimer: This map is a graphic representation of data obtained from various sources. All errors.



ORDINANCE

TO ANNEX TO, AND INCORPORATE WITHIN THE CORPORATE LIMITS OF THE TOWN OF SUMMERVILLE, THE AREA OWNED BY THOMAS WILLIAM WOLTER AND PATRICIA KULINA WOLTER ADJACENT TO THE BOUNDARY LINE OF THE TOWN, AS DESCRIBED ON THE DEED AND PREPARED PLAT ATTACHED HERETO AND INCORPORATED BY REFERENCE:

WHEREAS, the owner of the real estate designated as Dorchester County TMS # 144-16-02-008, located at 114 King Charles Circle described as 1 lot on the attached plat; has petitioned the Town Council of the Town of Summerville to annex into the Town of Summerville.

NOW, THEREFORE BE IT ORDAINED by the Mayor and Members of Town Council duly assembled;

SECTION I. That the described land on the attached deed and prepared plat, contiguous to the boundary of the Town of Summerville is hereby annexed to, taken into and made a part of the Town of Summerville and including the public roadway (s) immediately adjacent to the property lines of the parcel for the purposes of providing public service to the parcel.

SECTION II. That the property above described and hereby annexed shall be Zoned R2, Single Family Residential and be classified as R2, Single Family Residential under the Zoning Ordinance of the Town of Summerville.

Ratified this _____ day of _____, 2015 A.D.

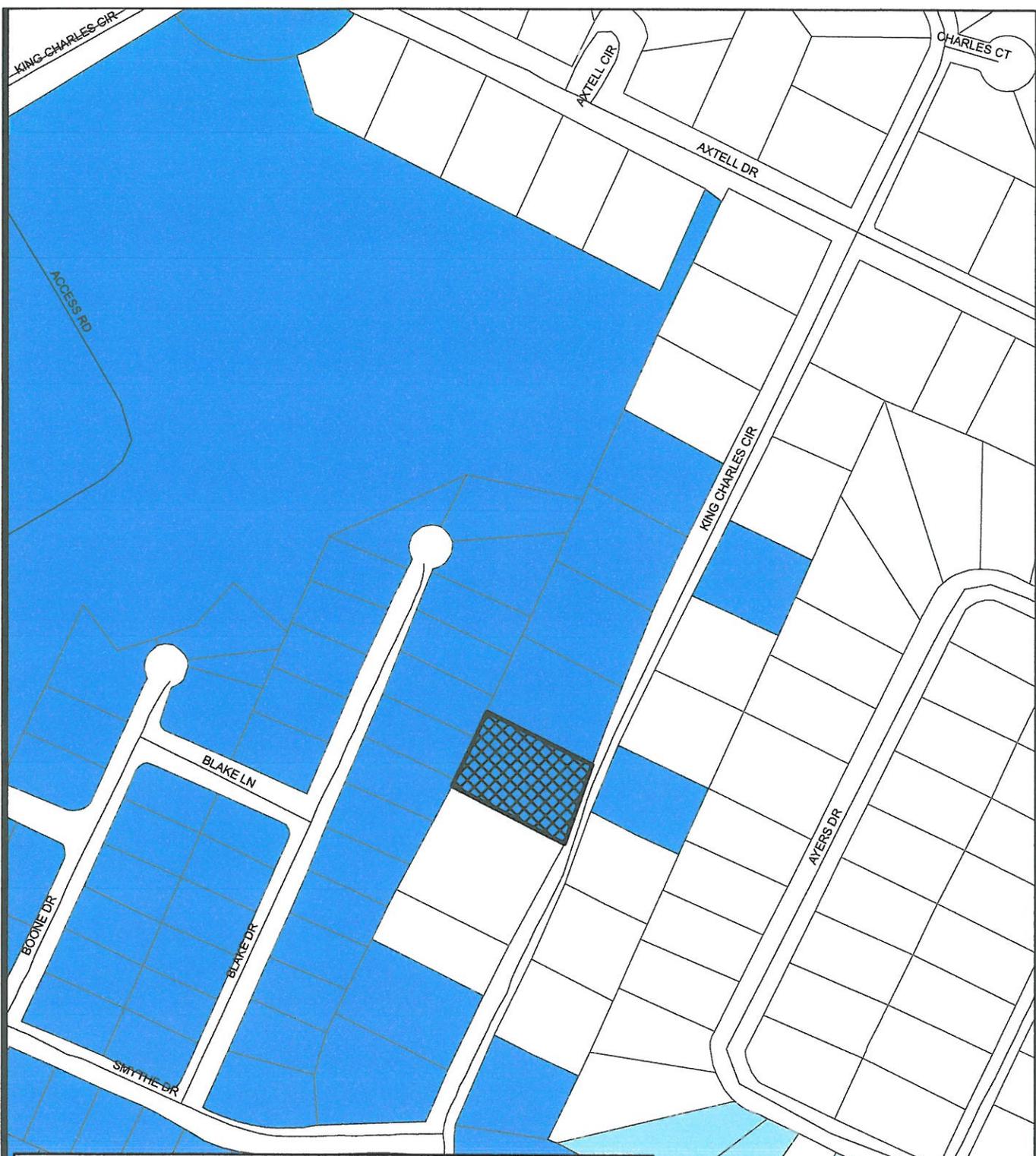
William C. Collins, Mayor

Lisa Wallace, Clerk to Council

PUBLIC HEARING: May 18, 2015

FIRST READING: June 10, 2015

SECOND READING: _____



Annexation of 144-16-02-008
114 King Charles Circle
To be zoned R-2, Single Family Residential



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



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ORDINANCE NO. _____

AN ORDINANCE TO AUTHORIZE THE MAYOR TO EXECUTE A QUIT-CLAIM DEED TO THE COMMISSIONAER OF PUBLIC WORKS OF THE TOWN OF SUMMERVILLE FOR THE PROPERTY HEREIN DESCRIBED.

WHEREAS, The Town of Summerville controls the unimproved area between the right-of-way line and Detmold Line on West 1st North Street, West 2nd North Street, and Cedar Street in Detmold Block 15.

WHEREAS, The Summerville Commissioners of Public Works of the Town of Summerville TMS #137-03-08-001 adjacent to West 1st North Street, West 2nd North Street and North Cedar Street; and

WHEREAS, The Commissioners of Public Works of the Town of Summerville wish to have the Town of Summerville execute a quit-claim deed for the adjacent and abutting parcels of land between the Detmold Lines and road rights-of-way of West 1st North Street, West 2nd North Street, and North Cedar Street on Detmold Block 15.

WHEREAS, The Town of Summerville is willing to execute a quit-claim for the adjacent and abutting parcels of land between the Detmold Lines and road rights-of-way of West 1st North Street, West 2nd North Street, and North Cedar Street on Detmold Block 15.

ORDAINED that Mayor be, and hereby is, authorized to execute a Quit Claim Deed to the above-referenced property owners as described as:

ALL that certain piece, parcel or strip of land, situate, lying and being in the Town of Summerville, County of Dorchester, State of South Carolina, containing 0.33acres and enclosed by the lines connecting points A, B, C, D, E, F, G, H, I, and A as shown on the plat entitled, " PLAT SHOWING A 0.33ACRE AREA OF LAND SURROUNDING DETMOLD BLOCK 15, BEING IN THE RIGHT-OF-WAY OF W 1ST N, W 2ND N AND NORTH CEDAR STREET, BEING CLAIMED BY THE COMMISSIONERS OF PUBLIC WORKS OF THE TOWN OF SUMMERVILLE", prepared by John David Bass, PLS, of Associated Surveyors of Summerville, dated January 29, 2015 and recorded on June ____, 2015 in the RMC/ROD Office for Dorchester County in Plat Cabinet ____, at

Slide _____. Said strip of land having such size, shape, dimensions, courses, distances, buttings and boundings as reference to said plat more fully will appear.

IT IS SO ORDAINED this 8th day of July, 2015.

William C. Collins, Mayor

ATTESTED TO:

Lisa Wallace, Clerk of Council

First Reading: _____

Second Reading: _____

STATE OF SOUTH CAROLINA)
) QUIT-CLAIM DEED
COUNTY OF DORCHESTER)

TO ALL WHOM THESE PRESENTS MAY COME:

NOW, KNOW ALL MEN BY THESE PRESENTS, that the said THE TOWN OF SUMMERVILLE, GRANTOR, for consideration of the premises and also in consideration of the sum of FIVE AND NO/100 (\$5.00) Dollars to it in hand paid at and before the sealing and delivery of these presents by THE COMMISSIONERS OF PUBLIC WORKS OF THE TOWN OF SUMMERVILLE, GRANTEE, (the receipt of which is hereby acknowledged) have remised, released and forever quit-claim unto the said THE COMMISSIONERS OF PUBLIC WORKS OF THE TOWN OF SUMMERVILLE, all its right title and interest in the following described

Property to-wit:

ALL that certain piece, parcel or strip of land, situate, lying and being in the Town of Summerville, County of Dorchester, State of South Carolina, containing 0.33 acres and enclosed by the lines connecting points A, B, C, D, E, F, G, H, I, and A as shown on the plat entitled, " PLAT SHOWING A 0.33ACRE AREA OF LAND SURROUNDING DETMOLD BLOCK 15, BEING IN THE RIGHT-OF-WAY OF W 1ST N, W 2ND N AND NORTH CEDAR STREET, BEING CLAIMED BY THE COMMISSIONERS OF PUBLIC WORKS OF THE TOWN OF SUMMERVILLE", prepared by John David Bass, PLS, of Associated Surveyors of Summerville, dated January 29, 2015 and recorded on June ____, 2015 in the RMC/ROD Office for Dorchester County in Plat Cabinet ____, at Slide ____. Said strip of land having such size, shape, dimensions, courses, distances, buttings and boundings as reference to said plat more fully will appear.

TMS #: 137-03-08-001.000

ADDRESS OF GRANTEE: P. O. Box 817, Summerville, SC 29484

TOGETHER with all and singular, the Rights, Members, Hereditaments and Appurtenances to the said Premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular, the Property unto the said THE COMMISSIONERS OF PUBLIC WORKS OF THE TOWN OF SUMMERVILLE, its Successors and Assigns forever so that neither the said THE TOWN OF SUMMERVILLE, nor its Successors and or assigns, nor any other person or persons claiming under it, shall at any

STATE OF SOUTH CAROLINA) **AFFIDAVIT**
COUNTY OF DORCHESTER)

PERSONALLY appeared before me the undersigned, who being duly sworn, deposes and says:

1. I have read the information on this Affidavit and I understand such information.
2. Parcel containing 0.33 acres, Town of Summerville, Dorchester County, Parcel Number 137-03-08-001.000 is being transferred by The Town of Summerville to The Commissioners of Public Works of the Town of Summerville this ____ day of _____, 2015.
3. Check one of the following: The DEED is:
 - (a) ____ subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth.
 - (b) ____ subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner or owner of the entity, or is a transfer to a trust or as a distribution to a trust beneficiary.
 - (c) X EXEMPT from the deed recording fee because of Exemption No 12 . Explanation, if required: Quit Claim deed – no consideration paid
4. Check one of the following if either item 3(a) or item 3(b) has been checked.
 - (a) ____ The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of \$ _____.
 - (b) ____ The fee is computed on the fair market value of the realty which is \$ _____.
 - (c) ____ The fee is computed on the fair market value of the realty as established for property tax purposes which is \$ _____.
5. Check YES ____ or NO X to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement or realty after the transfer. If "Yes," the amount of the outstanding balance of this lien or encumbrance is \$ _____.
6. The Deed recording fee is computed as follows:

(a) Place the amount listed in item 4 above here:	0.00
(b) Place the amount listed in Item 5 above here (no amount place zero):	0.00
(c) Subtract Line 6(b) from Line 6(a) and place the result here:	0.00
7. The deed recording fee due is based on the amount listed on Line 6(a) above and the deed recording fee due is: n/a
8. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with this transaction as: Grantee
9. I understand that a person required to furnish this affidavit who willfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.

SWORN to before me this ____ day
of _____, 2015.

Responsible Person Connected with the Transaction

The Commissioners of Public Works of the Town of
Summerville, by Charles L. Cuzzell, Manager
Print or Type Name Here

Notary Public for South Carolina
My Commission Expires: _____

ORDINANCE NO. _____

AN ORDINANCE TO AUTHORIZE THE MAYOR OR TOWN ADMINISTRATOR TO EXECUTE A QUIT-CLAIM DEED TO NANCY H. DIETCH FOR THE PROPERTY HEREIN DESCRIBED.

WHEREAS, The Town of Summerville controls the unimproved right-of-way of Briarwood Lane

WHEREAS, Nancy H. Dietch owns 101 Old Postern Road that is adjacent and abutting the unimproved portion of right-of-way of Briarwood Lane; and

WHEREAS, Nancy H. Dietch wishes to have the Town of Summerville execute a quit-claim deed for the adjacent and abutting unimproved portion of right-of-way of Briarwood Lane.

WHEREAS, The Town of Summerville is willing to execute a quit-claim for the unimproved portion of right-of-way of Briarwood Lane to Nancy H. Dietch and Town Council finds it to be in the best interest of the citizens and taxpayers to transfer a deed of the right-of-way.

ORDAINED that Mayor be, and hereby is, authorized to execute a Quit Claim Deed to the above-referenced property owners as described as:

ALL that certain piece, parcel or lot of land, shown on attached Exhibit as Quit-Claim Area 2-A, 231.72 Square Feet, or 0.0053 Acre area, lying adjacent to Lot 2 and the Briarwood Lane Right-of-Way, starting at a ¾" open end pipe, thence N 25°25'35"W, 18.09' to a point, thence N50°26'57"E, 26.41' to a ½" rebar, thence N20°47'48"E, 35.47' to the ¾" open end pipe. The area is shown on a plat made by Ashley Surveying, dated July 22, 2011 and recorded in Plat Cabinet L, Page 170 in the ROD Office of Dorchester County.

IT IS SO ORDAINED this 8th day of July, 2015.

William C. Collins, Mayor

ATTESTED TO:

Lisa Wallace, Clerk of Council

First Reading: _____

Second Reading: _____

persons claiming under it, shall at any time hereafter by any way or means, have, claim or demand any right or title to the aforesaid premises or appurtenances, or any part of parcel thereof, forever.

WITNESS its Hand and Seal, this _____ day of _____ in the year of our Lord Two Thousand and Fifteen (2015).

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

THE TOWN OF SUMMERVILLE

BY: William C. Collins
It's: Mayor

ATTEST: LISA WALLACE, CLERK-
TREASURER

STATE OF SOUTH CAROLINA)

COUNTY OF DORCHESTER)

The foregoing instrument was acknowledged before me by the Grantor herein on the day and year first above written.

SWORN to before me this ____ day of _____, 2015.

NOTARY PUBLIC FOR SOUTH CAROLINA
My Commission Expires: _____

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 following parcels all owned by Dorchester District 2 schools, known as TMS# 130-10-00-027, 130-10-00-028, 130-10-00-087, 130-10-00-089 all currently zoned I1, Industrial; and, TMS#s 130-14-00-019, and portions of 130-14-00-003 (tracts B-3-1 and B-3-2) all currently zoned R5, Mixed Residential and all located at 500 Bryan St. be rezoned to 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.

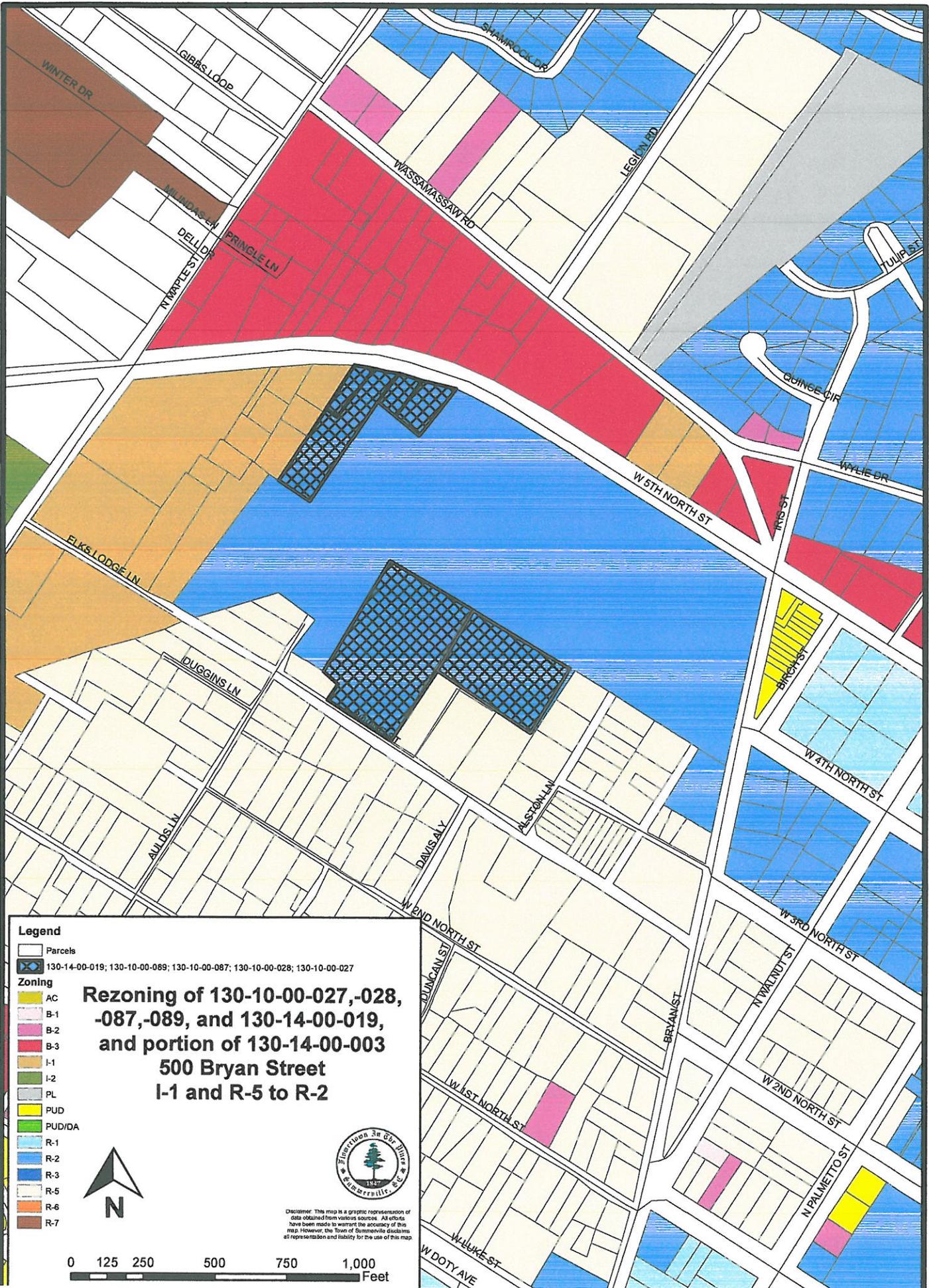
William C. Collins, Mayor

Lisa Wallace
Clerk to Council

PUBLIC HEARING: May 18, 2015

FIRST READING: June 10, 2015

SECOND READING: _____



Legend

Parcels

130-14-00-019; 130-10-00-089; 130-10-00-087; 130-10-00-028; 130-10-00-027

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

Rezoning of 130-10-00-027, -028, -087, -089, and 130-14-00-019, and portion of 130-14-00-003
500 Bryan Street
I-1 and R-5 to R-2



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 Sumnerville disclaims all representation and liability for the use of this map.



0 125 250 500 750 1,000 Feet

AN ORDINANCE AMENDING SECTION 16-5 OF THE CODE OF ORDINANCES FOR THE TOWN OF SUMMERVILLE TO CLARIFY THE DEFINITION OF "PUBLIC PLACE"

WHEREAS, Section 16-5 of the Code of Ordinances for the Town of Summerville governs matters involving possession of alcoholic beverages within the Town limits and provides for the regulation of possession of an open container; and,

WHEREAS, Town Council desires to clarify public places wherein the possession of alcoholic beverages are exempted from the provisions prohibiting possession of an open container; and,

BE IT HEREBY ORDAINED BY Town Council, in a meeting duly assembled, that Section 16-5 of the Code of Ordinances shall be amended as follows:

Sec. 16-5. – Possession of alcoholic beverages in public places.

A. It shall be unlawful for any person to have in his possession any beer, wine, or distilled liquor in an open container, or in any container with a broken seal, in any public place within the corporate limits of the Town of Summerville, except as provided herein below.

B. For the purposes of this Section the term "public place" shall be defined as: 1) any real property owned by any Federal, State, County, or Municipal Government or any agency thereof; ~~and, 2)~~ or any real property, regardless of ownership, which is open to members of the public, save and except real property where drinking is allowed pursuant to a permit or license from the State of South Carolina.

C. The prohibition provided in Section A regarding beer and wine herein above shall not be applicable to: 1) Any areas designated by Resolution of Town Council as a Special Events Area to include, but not limited to, any public park, street sidewalk or any portion thereof, for limited durations, and designated as the site of a public festival or other special event; or, 2) Any areas as designated in a Special Event Permit issued by the Town pursuant to the provisions of Section 24-71 et seq., of the Code of Ordinances for the Town of Summerville.

D. The application of this Section shall in no way affect the enforcement or prosecution of violations of Section 16-4, Disorderly Conduct, or of Section 16-5.1, Public Intoxication, or of any other Town Ordinance or State law.

Ordinance No. _____

Page 2

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

William C. Collins, Mayor

Attested to:

Lisa Wallace, Clerk of Council

TOWN OF SUMMERVILLE

STATE OF SOUTH CAROLINA

JOINT USE AGREEMENT

This agreements is made this day between the Town of Summerville (the "TOWN") and the Summerville Family YMCA (the "YMCA"),

Whereas, TOWN, in accordance with a Parks and Recreation Development Fund (PARD) Grant, is improving the parking area for the Sawmill Branch Trail at the Oakbrook Family YMCA,

Whereas, as further consideration of the TOWN improving the parking, the YMCA agrees to joint use of the parking area,

Whereas, the Project Sponsor of the PARD Grant, TOWN, hereby agreed to the following conditions:

1. The Project Sponsor agrees to operate the above described facilities in a nondiscriminatory manner with regards to race, color, creed, national origin, or handicap such that the general public is not prohibited except possibly during night hours when it might be deemed unsafe for use,
2. The Project Sponsor agrees to operate and maintain the above described facilities in a safe and usable manner for their intended purposes,
3. The Project Sponsor agrees to erect and maintain throughout the agreement period, a sign which credits the State and the Parks and Recreation Development Fund for assisting in the project,

Now, therefore, in consideration of the completion of the parking improvements in accordance with the terms and conditions of the PARD Grant, the TOWN and the YMCA agrees as follows:

1. The TOWN and the YMCA shall agree to the terms and conditions of the PARD Grant.
2. The TOWN will improve the parking area for the Sawmill Branch Trail at the Oakbrook Family YMCA in accordance with the terms and conditions of the PARD Grant and under the supervision of the TOWN.
3. The TOWN and the YMCA shall agree to joint use of the parking area.
4. The TOWN and the YMCA shall agree to maintain the parking area in accordance with the terms and conditions of the PARD Grant.
5. The YMCA agrees to maintain liability insurance coverage on the parking area for the life of this agreement.

Wherefore, both the TOWN and the YMCA have executed this agreement on this
_____ day of _____, 2015.

Witness

Town of Summerville

Witness

Its:

Address

Witness

Summerville Family YMCA

Witness

Its:

Address

MEMORANDUM OF UNDERSTANDING

This Memorandum of understanding is made between the Town of Summerville (Town), Summerville Investment Partners, LLC (SIP) and Marymeade Associates Limited Partnership (Marymeade) to be effective as of the last date written below.

Whereas, Marymeade is the owner of real property located in Berkeley County, SC, a portion of which will be used to develop and construct a facility to house BJs Wholesale Club (Development), the location of which is shown on the attached Exhibit A, and;

Whereas, the proposed primary access to the Development will begin at the intersection of Rackaway Drive and Highway 17-A (North Main Street) to existing Jockey Court and a proposed extension of Jockey Court to be constructed by SIP. See Exhibit A, and;

Whereas, SIP and Marymeade are of the opinion that a formal traffic study would reveal this proposed access would be adequate, and;

Whereas, the Town is of the opinion that, even if a traffic study revealed the proposed access would suffice, traffic would be better addressed and controlled via an additional access by extending Marymeade Drive approximately one quarter (1/4) of a mile to connect to the Jockey Court extension, see Exhibit A, and;

Whereas, Marymeade has agreed to dedicate a fifty (50) foot right of way for the purpose of the constructing the Marymeade Drive extension, see Exhibit A, and;

Whereas, Marymeade has agreed to contribute an amount not to exceed \$468,750.00 (“Marymeade Contribution”) to be used first towards the construction of the Marymeade Drive extension and then to address all transportation improvements associated with the Development, and SIP has agreed to bear the cost for the design of the Marymeade Drive extension, and;

Whereas, the Town will bear all remaining cost and responsibility for the construction of Marymeade Drive extension and repairs to Rackaway Drive and Jockey Court from the intersection of Rackaway Drive to the development site (“Roadway Improvements”). Should the Town decide not to construct the Roadway Improvements, then there shall be no negative affect or impact on the Development or its ability to obtain any permits and Certificates of Occupancy required for the Development. Additionally, if Town decides not to construct the Marymeade Drive extension as part of the Roadway Improvements as contemplated herein, then the Marymeade Contribution shall be promptly returned to Marymeade.

Whereas, Rackaway Drive, Jockey Court and its extension are private roads and are owned by Marymeade and Marymeade is desirous of dedicating these roads to the Town, and;

Whereas, it will be necessary for Marymeade to have a portion of its property consisting of the Development site, Jockey Court extension and Marymeade Drive extension annexed into the Town, and;

THEREFORE, SIP, Marymeade and Town understand to accomplish the above that:

1. Annexation of Jockey Court extension, site of the Development and Marymeade Drive extension must be accomplished as a condition of the issuance of construction permits for the Development.
2. Design plans for the Marymeade Drive extension paid for by SIP must be delivered and approved by the Town as a condition of the issuance of construction permits for the Development. The Marymeade extension will include mutually agreed upon access points to service the remaining, adjacent Marymeade property.
3. Upon final Commercial Design Review Board (“CDRB”) approval and closing on the land for the Development, The sum of \$468,750.00 as contribution to all transportation improvements associated with the Development and a deed from Marymeade Associates for the land required for the Marymeade extension shall be escrowed. An Escrow Agreement shall be executed between the Parties prior to the sum of \$468,750.00 being deposited and shall provide stipulations for the use of the funds so that the funds contributed may only be used for the express purpose of first constructing the Marymeade Drive extension as part of the Roadway Improvements contemplated herein. Should the Town elect not to construct the Marymeade Drive extension as part of the Roadway Improvements contemplated herein, the Marymeade Contribution shall be returned within twelve (12) months of the date in which the Marymeade Contribution was placed in escrow.
4. All permits and approvals necessary for the construction of the Development and Jockey Court extension will be in accordance with the Town’s Codes and Ordinances. Repairs to Rackaway Drive and the portion of Jockey Court designated for Roadway Improvements shall be completed by the Town upon completion of construction of the Development. The Town shall accept dedication of the areas designated for Roadway Improvements in their current ‘as-is’ condition.
5. Upon final CDRB approval and annexation of properties designated for Roadway Improvements, the Town will accept dedication of the same at a mutually agreed upon date. [Note: Marymeade extension to be annexed and accepted prior to Development construction; Rackaway Drive and designated portion of Jockey Court to be accepted upon completion of Development construction.] This acceptance **will not** include the cemetery located in the median of Rackaway Drive.
6. The Town acknowledges that the land being dedicated by Marymeade Associates is sufficient for a 50 foot right of way for the Marymeade extension. As SIP and Marymeade are responsible for the contribution of the right of way for the

Marymeade extension, the construction of the Jockey Court extension, the Marymeade Contribution and the design of the Marymeade extension, the Town will not require a traffic impact analysis, or any further studies, analysis or improvements other than compliance with the typical construction requirements as noted in this agreement. Dedication of the right of way for the Marymeade Drive extension will be required, upon final CDRB approval, as a condition for the issuance of construction permits.

7. All permits and approvals necessary for the Marymeade Drive extension will be the responsibility of the Town. It is the goal of the Town to have the Marymeade extension completed at approximately the same time as the completion of the Development and opening of the BJs Wholesale Club. The Town will be responsible for the permitting and construction of Marymeade Drive extension. Any cost above the Marymeade Contribution of \$468,750.00 shall be the sole responsibility of the Town.
8. The Town shall commence construction of the Marymeade Drive extension within six (6) months of obtaining all necessary permits necessary for the construction of Marymeade Drive extension. Should the Town fail to commence construction as described herein, then the Marymeade Contribution shall be promptly returned to Marymeade Associates in accordance with the escrow agreement.
9. A decision not to construct the Marymeade extension, any delays in the roadway permitting or construction process, improvements to Jockey Court or any other factor which may cause a delay in the construction of the roadway beyond the desired opening time frame of the Development, shall in no way impact the ability of the Development to obtain the required Certificate(s) of Occupancy for the Development.
10. Prior to Rackaway Drive and the existing section of Jockey Court being dedicated and accepted by the Town (and provisionally serving as a private dedicated easement providing access to the subject property), the BJ's Wholesale Club development and Marymeade Associates will be permitted to add a panel(s) to be approved by the Commercial Design Review Board to the North Main Market pylon sign located at Rackaway Drive and N. Main Street. This sign panel(s) will allow conformance with the private deed restriction providing signage for the BJ's Wholesale Club Development and Marymeade Associates. Once these right-of-ways are dedicated and accepted by the Town, the sign panel(s) will be allowed to remain as an existing, legal non-conforming use per the Town's Zoning Ordinance, Chapter 32, Article III, Section 32-17.

WHEREFORE, The Parties set their hands and seals as noted below.

Summerville Investment Partners, LLC

Marymeade Associates

George B. Tomlin
Manager

William W. Walker, Jr.
General Partner, Managing Director

DATED _____

DATED _____

Town of Summerville

Attest: _____
Lisa Wallace, Clerk

William C. Collins, Mayor