

William C. Collins, Mayor

Council Members:

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



Clerk-Treasurer

Lisa L. Wallace

Town Attorney
G. Waring Parker

Town of Summerville

COUNCIL MEETING MINUTES NOVEMBER 13, 2013

ATTENDANCE

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

CALL TO ORDER

The regular monthly meeting of Summerville Town Council was called to order at 7:30 p.m. on Wednesday, November 13, 2013 in Council Chambers. The meeting was opened with prayer by Bob Jackson, followed by the Pledge of Allegiance.

PUBLIC COMMENTS

Mayor Collins called for any comments from the citizens. There being no comments offered, the Mayor declared that portion of the meeting closed.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

Mr. Jackson made a motion, seconded by Ms. Garten-Schmidt, to approve the minutes of the October 9, 2013 Council meeting as submitted. The motion carried unanimously.

APPROVAL OF COUNCIL COMMITTEE REPORTS

Mr. McIntosh made a motion, seconded by Brown, to approve November 12, 2013 Finance Committee Report as submitted. The motion carried unanimously.

PETITIONS

Mayor Collins announced that no petitions were submitted.

PENDING BILLS AND RESOLUTIONS

Mr. Brown made a motion, seconded by Mr. McIntosh, to reconsider the proposed business license ordinance that was previously tabled. The motion carried unanimously. Mr. McIntosh made a motion, seconded by Ms. Garten-Schmidt to have second and final reading of an ordinance to amend Chapter 8, Articles II & III of the Code of Laws of the Town of Summerville relating to Business and Professional Licenses and Peddlers and Solicitors. Mr. Jackson reported that he would have to abstain from voting on this ordinance. Mr. Bailey asked Ms. Harper to explain the amendments that were proposed at the Finance Committee meeting. The ordinance as proposed gives business owners, who were not aware that they needed a license, an opportunity to come in voluntarily to obtain a current license without penalties and without going back three years during the amnesty

period. Existing businesses would be given an opportunity to voluntarily correct any reporting errors used to calculate their current and previous three years' business license fees. If additional monies are due, the license fee must be paid but any penalties would be waived during the amnesty period. Mr. Bailey stated that it would not be fair to give the businesses that have not been paying a break and penalize the businesses that have been paying. Mr. Bailey stated that he prefers the original version of the ordinance. Mr. Brown stated that it would not be fair to go back three years on businesses that weren't even aware that they required a license. Mr. McIntosh stated that the reason for the amnesty period is to put people on notice that the town will be conducting audits and to give businesses an opportunity to come forward and have their records reviewed without incurring any penalties. He pointed out that the town could not audit businesses that don't currently have a license because are not on the books. This is an opportunity to motivate those people to come forward and get on the town's books without incurring penalties. After further discussion, Mr. Bailey made a motion, seconded by Ms. Garten-Schmidt, to amend the pending bill to have the same amnesty for existing businesses that is being offered to businesses that did know they required a license. Mr. Bailey clarified that during the amnesty period the town would only review and require the fees due for the current year's license with no three year look back and no penalties for both existing business and businesses that do not currently have a license. Mayor Collins then called for a vote on the amendment. Mr. Bailey, Ms. Garten-Schmidt, Mayor Collins, and Mr. Brown voted in favor of the motion, Mr. McIntosh opposed and Mr. Jackson abstained. The motion carried. Mayor Collins then called for a motion for second reading of the business license as amended. Mr. McIntosh made the motion, seconded by Mr. Bailey, to have second and final reading of the business license ordinance as amended. The motion carried with Mr. Jackson abstaining.

Mr. Brown made a motion, seconded by Mr. Bailey, to have second and final reading of an ordinance to amend Section 28-121 relating to wrecker services in the Town of Summerville. The motion carried unanimously.

Mr. Jackson made a motion, seconded by Mr. McIntosh, to have second and final reading of an ordinance to rezone TMS #137-10-01-005 located at 127 W. 5th South Street from PL "Public Lands" to R1 "Single Family Residential". The motion carried unanimously.

Mr. Jackson made a motion, seconded by Ms. Garten-Schmidt, to have second and final reading of an ordinance authorizing the sale of property located at 127 W. 5th South Street, known as TMS # 137-10-01-005, also known as the Teacherage and the Berry House. The motion carried unanimously.

Mr. McIntosh made a motion, seconded by Mr. Jackson, to have second and final reading of an ordinance to rezone TMS # 145-11-05-059, 175 Community Road, owned by Summerville Commissioners of Public Works from B3 "General Business" to PL "Public Lands". The motion carried unanimously.

INTRODUCTION OF BILLS AND RESOLUTIONS

Mr. McIntosh made a motion, seconded by Mr. Brown, to have introduction and first reading of an ordinance to adopt the FY 2014 budget for the Town of Summerville. During discussion, Mr. Jackson stated that he does not agree with allocating \$75,000 for an events coordinator. He would like to change the title to Public Information Officer and hire someone with those credentials. Mayor Collins stated that this position, which will serve as the Public Information Officer as well as the Events Coordinator, has been discussed a previous meetings and has been approved. Mr. Jackson then made a motion to change

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the title of position to Government Public Information Officer and require that someone with those credentials be hired for that position. Mr. Brown seconded the motion. Mayor Collins called for the vote. Mr. Jackson and Mr. Brown voted in favor of the motion. Mr. Bailey, Ms. Garten-Schmidt, Mayor Collins, and Mr. McIntosh voted against the motion and the motion failed. Mayor Collins then called for the vote on the first reading of the 2014 budget. The motion carried unanimously.

Mr. Jackson made a motion, seconded by Mr. Brown, to adopt a Resolution approving financing terms not to exceed \$500,000 for public safety radio equipment upgrades and replacements. The motion carried unanimously.

Mr. Jackson made a motion, seconded by Mr. McIntosh, to adopt a Resolution authorizing a \$1,000 deductible for worker's compensation claims. The motion carried unanimously.

MISCELLANEOUS

Mr. Brown made a motion, seconded by Ms. Garten-Schmidt, to confirm the Mayor's appointments the citizens' boards and commissions [list attached]. The motion carried unanimously.

ADJOURN

There being no further business, the meeting adjourned at 7:59 p.m.

Respectfully submitted,

Lisa Wallace, Director of Administrative Services
Clerk and Treasurer

APPROVED:

William C. Collins, Mayor