

Mayor
Ricky Waring

Council Members:
Bob Jackson
Walter Bailey
Aaron Brown
Christine Czarnik
Kima Garten-Schmidt
William McIntosh



Town Administrator
Rebecca Vance

Town Clerk
Beth Messervy

Town Attorney
G.W. Parker

Town of Summerville

COUNCIL MEETING MINUTES July 9, 2020

ATTENDANCE

Present: Mayor Ricky Waring, Councilmembers Kima Garten-Schmidt, Terry Jenkins, Walter Bailey, Aaron Brown, Bob Jackson and Bill McIntosh. A quorum was met. Several staff members were on the Zoom meeting. Public and press were duly notified. The meeting was held virtually and live streamed on the Town's web site.

CALL TO ORDER

The regular monthly meeting of Summerville Town Council was called to order at 6:00pm on Thursday, July 9, 2020 by Mayor Waring. The meeting was opened with prayer led by Councilmember Terry Jenkins, followed by the Pledge of Allegiance.

SPECIAL PRESENTATION

The Greater Summerville/Dorchester County Chamber of Commerce gave a brief presentation on the results from the Chamber's public input sessions regarding the building of a new boutique hotel in downtown Summerville.

APPROVAL OF MINUTES

Mr. Jenkins made a motion, seconded by Mr. Bailey, to approve the combined minutes from the Town Council meeting on June 11, 2020, the Standing Committee meetings on June 11, 2020, the Council Special Called meeting on June 29, 2020, and the Council Special Called Meeting on July 7, 2020. The motion carried, and the minutes were accepted into record.

PUBLIC COMMENT

Public comments for the virtual meeting were accepted via email, and the public had a chance to call in their comments as well. Ms. Messervy read the 25 public comments received via email. They have been accepted into record.

Ashley Chiampi called in for public comment, speaking in opposition of the face mask ordinance. She asked that Council “recommend” the face masks instead of mandating them.

CJ Westfall called in for public comment, speaking in opposition of the face mask ordinance. He stated that it would be better to “encourage masks” instead of mandating them.

Justin Roberson called in for public comment, speaking in opposition of the face mask ordinance. He stated that face masks cause fear and pandemonium.

PETITIONS:

N/A

PENDING BILLS AND RESOLUTIONS

Mr. Jackson made a motion, seconded by Mr. Jenkins to give second and final reading to a General Bond Ordinance to allow the Summerville Commissioners of Public Works to issue water and sewer bonds to fund various projects. The motion carried unanimously.

Mr. McIntosh made a motion, seconded by Mr. Jackson, to give second and final reading to an ordinance to rezone TMS#s 154-00-00-073, Miles-Jamison Road; and 154-06-15-006, 310 Beverly Drive (approximately 306.809 acres), and owned by Dorchester County from PUD, Planned Development District, to PL, Public Lands (Council District 6). The motion carried unanimously.

Mr. Bailey made a motion, seconded by Mr. Jackson, to postpone second and final reading of an ordinance to annex Dorchester County TMS# 144-01-00-005 (approximately 1.00 acre) located at 795 Orangeburg Road, currently zoned R-4 Multi-Family Residential in Dorchester County and will be zoned PUD Planned Development District upon annexation into the Town of Summerville’s municipal limits and the existing PUD for the Knightsville Tract shall be amended to include this parcel for open space and commercial uses. (Council District 4). The motion carried unanimously.

Mr. Jackson made a motion, seconded by Mr. McIntosh to give second and final reading to an ordinance to amend the Summerville Comprehensive Plan Section I and Town of Summerville Future Land Use Map #2, currently designated as Employment Growth

District to Neighborhood Mixed Use with a Commercial Activity Center Focal Point at the area closest to Interstate 26. The motion carried unanimously.

Mr. Bailey made a motion, seconded by Mr. Jenkins to give second and final reading to an ordinance to amend the Summerville Unified Development Ordinance Title 8 Tree Protection, Landscaping & Screening, Chapter 3 Tree Protection, Subsection 3.B.3. Preservation During Construction. The motion carried unanimously.

Mr. Bailey made a motion, seconded by Mr. Jackson, to postpone the second and final reading of the following ordinances until the August 13, 2020 Council meeting:

- 1) to annex Berkeley County TMS# 208-00-02-013 (approximately 973 acres) located off of the Nexton Parkway Interchange and Linda Way, currently zoned HI, Heavy Industrial, and Flex1, Agricultural, in Berkeley County and will be zoned PUD, Planned Development District, upon annexation into the Town of Summerville's municipal limits. (Council District 2)
- 2) To approve a Proposed Development Agreement for HIC LAND, LLC (Whitfield Tract) or its successor in title and authorizing the execution and delivery of a Development Agreement and other instruments including the implementation of a Planned Unit Development document relating thereto by and between the Town of Summerville and HIC LAND, LLC– Berkeley County TMS# 208-00-02-013 for a total of 973 acres.

The motion to postpone the two items carried unanimously.

INTRODUCTION OF BILLS AND RESOLUTIONS

Mr. McIntosh made a motion, seconded by Ms. Garten-Schmidt, to give first reading of an ordinance to amend the Summerville Unified Development Ordinance, Chapter 5, Section 5.6.9, Alley; Chapter 10, Section 10.2.1.A, Applicability, Section 10.4.2.A, Monument Signs, Section 10.7.2.C, Temporary Banners; Maximum Area, and Section 10.8, Signs That Do Not Require A Permit. The motion carried unanimously.

MISCELLANEOUS

Mr. Jackson made a motion, seconded by Mr. Brown, to approve an emergency ordinance requiring individuals to wear face coverings in retail and foodservice establishments, and matters related thereto. Ms. Garten-Schmidt made a motion, seconded by Mr. McIntosh, to amend the ordinance to “highly encourage” citizens to wear masks instead of a mandate. Some discussion followed. The motion to amend the ordinance failed 2-5 with Mr. McIntosh and Ms. Garten-Schmidt voting in favor of the amendment. The original motion passed 5-2 with Mr. McIntosh and Ms. Garten-Schmidt voting in opposition.

Mr. Jenkins made a motion, seconded by Mr. Bailey, to approve and ordinance to temporarily suspend the normal operating procedures of the Town by closing Town Hall and the Annex building to the public and authorizing the Town Administrator and Mayor to develop and implement a plan to ensure the orderly continuance of Town services. Mr. McIntosh made a motion, seconded by Mr. Jackson, to amend the ordinance to replace item 3 with the following: "The Town Hall and Town Annex shall be closed for 10 days beginning at 11:59 pm, July 9th, 2020, provided that the Mayor is authorized to extend the closing of Town Hall if necessary for a period not to exceed not 11:59pm on August 13th, 2020." The motion to amend the ordinance carried. The ordinance as amended carried unanimously.

Mr. Jenkins made a motion, seconded by Mr. Bailey, to approve the recommendations by the State Accommodations Tax Advisory Committee for funding of applicants from 2020 ATAX funds, with the exception of the Summerville Dorchester-Museum which would be considered at a later date. The motion carried unanimously.

Mr. McIntosh made a motion, seconded by Ms. Garten-Schmidt, to approve the request from the Dorchester Free School Board for the Town to lend copyrights of Town owned archives to the organization. The motion carried unanimously.

Mr. Jenkins made a motion, seconded by Mr. Brown, to approve the Town to implement eminent domain for road right-of-way acquisition if necessary for the intersection improvements for US-17A and Tupperway Drive for the Six Oaks PUD. Some discussion followed. The motion carried unanimously.

EXECUTIVE SESSION

Mr. Jenkins made a motion, seconded by Ms. Garten-Schmidt, for Council to enter into Executive Session for the following:

- a. Personnel matter related to hiring of Human Resources Manager
- b. Personnel matter to discuss the status of the Town Attorney position
- c. To receive legal advice on the Parks and Recreation Millage Concurrence Agreement
- d. Contractual matters related to Steven Fooshe & Associates, LCC
- e. Contractual matters related to leases of Town owned property at 100 West Richardson

The motion carried, and Council entered into Executive Session at 8:10pm

OTHER BUSINESS

Council returned from Executive Session at 9:01pm. Town Attorney GW Parker reported that no action was taken on:

- a. Personnel matter related to hiring of Human Resources Manager
- b. Personnel matter to discuss the status of the Town Attorney position

- c. To receive legal advice on the Parks and Recreation Millage Concurrence Agreement
- d. Contractual matters related to Steven Fooshe & Associates, LCC
- e. Contractual matters related to leases of Town owned property at 100 West Richardson

Mr. Parker also stated that he recused himself from discussion of item (b) of Executive Session.

Mr. Jenkins made a motion, seconded by Mr. Bailey, to approve the Town Administrator's recommendation to hire Chris Grant as the new Human Resources Manager. The motion carried unanimously.

Mr. Jenkins made a motion, seconded by Mr. Bailey, to change the position of the current Town Attorney, GW Parker, to a full time position with commensurate salary and full benefits effective July 1, 2020. The motion carried 6-0 with Mayor Waring recusing himself from the vote.

Mr. Bailey made a motion, seconded by Mr. Jenkins, to give the Town Attorney authorization to revise an agreement with Dorchester County on the Parks and Recreation Millage Concurrence. The motion carried unanimously.

Mr. Jenkins made a motion, seconded by Ms. Garten-Schmidt, to hire Steven Fooshe & Associates, LLC as lobbyists for the Town of Summerville with a contract ending December 31, 2021. Some discussion followed. The motion carried unanimously.

ADJOURN

There being no further business, the meeting adjourned at 9:07pm on motion of Mr. Jenkins, seconded by Ms. Garten-Schmidt.

Respectfully Submitted,

APPROVED:

Beth Messervy, Town Clerk

Ricky Waring, Mayor