

*Mayor*  
Ricky Waring

*Council Members:*  
Bob Jackson  
Walter Bailey  
Aaron Brown  
Terry Jenkins  
Kima Garten-Schmidt  
William McIntosh



*Town Administrator*  
Lisa Wallace

*Town Clerk*  
Beth Messervy

*Town Attorney*  
G.W. Parker

## **TOWN *of* SUMMERVILLE**

### **COUNCIL MEETING MINUTES August 12, 2021**

#### **ATTENDANCE**

Present: Mayor Ricky Waring, Councilmembers Terry Jenkins, Kima Garten-Schmidt, Aaron Brown, Bob Jackson, Bill McIntosh, and Walter Bailey. A quorum was met. Public and press were duly notified. The meeting took place in Council Chambers at 200 South Main Street and was livestreamed from the Town's website.

#### **CALL TO ORDER**

The regular monthly meeting of Summerville Town Council was called to order at 6:00pm on Thursday, August 12, 2021 by Mayor Waring. The meeting was opened with prayer led by Councilmember Kima Garten-Schmidt, followed by the Pledge of Allegiance.

Mr. Brown made a motion, seconded by Mr. Jackson, to move the "Dignity Project" agenda item from the end of the meeting to directly before the approval of the minutes. The motion carried unanimously.

#### **DIGNITY PROJECT**

Chief Doug Wright introduced members of the Dignity Project, and some of them spoke about the organization and why the video was made. Chief Wright played the video.

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

Mr. McIntosh made a motion, seconded by Mr. Jackson, to accept the minutes of the July 8, 2021 Council meeting, the August 9, 2021 Standing Committee meetings, and the amendment of the approved minutes from the June 10, 2021 Council Meeting. The motion carried unanimously, and the minutes were accepted into record. The Town Clerk made the amendment to the approved minutes from the June 10, 2021 Council meeting.

#### **PUBLIC COMMENTS (For items on the August 12, 2021 agenda)**

Dianne Frankenberger spoke on behalf of the merchants in the downtown area, in support of the Summerville DREAM Summerville Skates event for 2021.

**PETITIONS:**

Mr. Brown made a motion, seconded by Mr. Jenkins, to give first reading of an ordinance to to annex Dorchester Co. TMS# 136-07-01-002, located at 100 W. Butternut Road and totaling approximately 0.85 acres. Currently zoned CN, Neighborhood Commercial in Dorchester County and will be zoned G-B, General Business, upon annexation into the Town of Summerville's municipal limits. (Council District 1) . Mr. Bailey made a motion, seconded by Mr. McIntosh, to clarify that the Planning Commission recommended this property be zoned N-B (Neighborhood Business) instead of G-B. The motion to amend carried. The original motion as amended carried unanimously.

Mr. McIntosh made a motion, seconded by Mr. Jackson, to give first reading to an ordinance to annex Berkeley County TMS#'s 221-00-00-005, -200, -201, -202, and 220-00-02-019 (approximately 100.23 acres total), currently zoned PD-OP/IP Planned Development District -- Office or Industrial Park in Berkeley County and will be zoned G-B General Business upon annexation into the Town of Summerville's municipal limits. (Council District 2). The motion carried unanimously. (Rosemary tract)

Mr. McIntosh made a motion, seconded by Mr. Jenkins, to give first reading of an ordinance to annex Berkeley County TMS# 221-00-00-007 (approximately 2.926 acres) located at 1321 Beagle Road; currently zoned HI, Heavy Industrial, in Berkeley County and will be zoned G-B, General Business, upon annexation into the Town of Summerville's municipal limits. (Council District 2). The motion carried unanimously.

Mr. Jackson made a motion, seconded by Mr. Jenkins, to give first reading of an ordinance to annex Berkeley County TMS# 221-00-00-006 (approximately 7.36 acres) located on Beagle Road; currently zoned HI, Heavy Industrial, in Berkeley County and will be zoned G-B, General Business, upon annexation into the Town of Summerville's municipal limits. (Council District 2). The motion carried unanimously.

**PENDING BILLS AND RESOLUTIONS**

Mr. Jackson made a motion, seconded by Mr. Jenkins, to give second and final reading of an ordinance to amend Chapter 6, Buildings and Building Regulations, Article II, Division I, by adding a new section to be titled Section 6-47 – Unfit Dwellings. Some discussion followed. The motion carried 6-1, with Mr. Brown voting in opposition.

Mr. Jenkins made a motion, seconded by Mr. Bailey, to give second and final reading of an ordinance to annex Dorchester Co. TMS# 145-07-03-036, located at 112 Dove Lane and totaling approximately 0.26 acres. Currently zoned R-2, Single-Family Residential in Dorchester County and will be zoned GR-5, General Residential, upon annexation into the Town of Summerville's municipal limits. (Council District 3) The motion carried unanimously.

Mr. Jenkins made a motion, seconded by Mr. Jackson, to give second and final reading of an ordinance to annex Dorchester Co. TMS# 154-00-00-063, located on Ladson Road and totaling approximately 1.5 acres. Currently zoned CG, General Commercial, in Dorchester County and will be zoned G-B, General Business, upon annexation into the Town of Summerville's municipal limits. (Council District 6) The motion carried unanimously.

Mr. Jenkins made a motion, seconded by Mr. Jackson, to give second and final reading of an ordinance to annex Dorchester Co. TMS#s 144-00-00-083, 751 Orangeburg Road; 144-00-00-013, 713 Orangeburg Road; 144-00-00-156, 172 Reed Street; 144-00-00-183, Orangeburg Rd, four parcels totaling approximately 72.89 acres. Currently zoned R-1 and R-1(A), Single-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 Knightsville Tract PUD shall be amended to include these parcels and the additional proposed language. (Council District 4) The motion carried unanimously.

Mr. Jackson made a motion, seconded by Mr. Jenkins, to give second and final reading of ordinance to annex Dorchester Co. TMS# 152-00-00-013, located off Ashley Bluffs Road and totaling approximately 49.92 acres. Currently zoned PD, Planned Development, in Dorchester County and will be zoned AC, Agricultural Conservation, upon annexation into the Town of Summerville's municipal limits. (Council District 5). The motion carried unanimously.

Mr. Jenkins made a motion, seconded by Mr. Bailey, to give second and final reading to ordinances outlined in agenda items 6f – 6s, as they are all a part of the amendments to the Unified Development Ordinance, provided that all Councilmembers signed their initials to the signature page of each individual ordinance. Mr. Brown made a motion, seconded by Mr. Jackson, to amend Section 3.3 of the Table of Permitted Uses to “P” for permitted from “C” for conditional. Some discussion followed, with Ms. Shuler clarifying that Mr. Brown's intentions for his motion are already addressed in the amendments up for second reading. Mr. Brown withdrew his motion to amend. The original motion carried unanimously.

#### **INTRODUCTION OF BILLS AND RESOLUTIONS:**

Mr. Brown made a motion, seconded by Ms. Garten-Schmidt, to give first reading of an ordinance to rezone TMS#s 130-00-00-008 and 130-00-00-050, located on N. Maple St., approximately 20.91 acres, and owned by CVEA Summerville I, LLC from N-MX, Neighborhood Mixed-Use to G-B, General Business. (Council District 1). The motion carried unanimously.

Mr. Brown made a motion, seconded by Mr. Jenkins, to give first reading of an ordinance to authorize the Mayor or Town Administrator to execute a quit-claim deed for a 1,127.16 square feet portion of an unimproved right-of-way of Noisette Row to AMH Development, LLC. The motion carried unanimously.

Ms. Garten-Schmidt made a motion, seconded by Mr. Bailey, to give first reading of an ordinance to dissolve the Summerville Redevelopment Corporation. The motion carried unanimously.

Mr. Jenkins made a motion, seconded by Mr. Bailey, to give first reading of an ordinance to amend Chapter 22, Section 22-115, entitled “Classifications of Property and Determination of the Interim Utility Fee.” The motion carried unanimously.

Mr. Jackson made a motion, seconded by Mr. Brown, to give first reading of an ordinance to amend Chapter 2, Article V, Division 2 – Purchasing, by adding a new section to be known as Section 2-327 – Cooperative Purchasing. The motion carried unanimously.

Mr. Jenkins made a motion, seconded by Mr. Jackson, to postpone the first reading of the ordinance in item 7f (Lease agreement for 100 West Richardson, Suites A&B) until after Executive Session. The motion carried unanimously.

### **MISCELLANEOUS**

Mr. Jenkins made a motion, seconded by Mr. Brown, to approve a Resolution to approve and authorize the South Carolina Department of Transportation to build the Berlin G, Myers Parkway Extension in accordance with S.C. Code Ann. 57-5-820 and for the placement of utilities. The motion carried unanimously.

Mr. Jenkins made a motion, seconded by Mr. Jackson, to approve a lease amendment to the property at 100 West Richardson Avenue, Suite C. The motion carried unanimously.

Mr. Brown made a motion, seconded by Ms. Garten-Schmidt, to grant in ingress-egress easement for access to 206 Cleveland Street, TMS 130-11-00-036. Some discussion followed. The motion carried unanimously.

Mr. Jenkins made a motion, seconded by Mr. Bailey, to postpone the consideration of payment in the amount of \$125,000 to DREAM for the 2021 Summerville Skates event. The motion carried 6-1, with Mr. McIntosh voting in opposition.

Mr. Jackson made a motion, seconded by Mr. Bailey, to open up the discussion for consideration of restrictions of concealed/open carry weapons at or in all property owned by the Town of Summerville. Mr. Bailey stated that there was not enough information to make a decision at this time. Chief Wright explained the new legislation regarding this subject. Some discussion followed. Ms. Garten-Schmidt made a motion, seconded by Mr. McIntosh, to have a Special Called Council meeting to discuss this item at another time. Some discussion followed. Ms. Garten-Schmidt withdrew her motion. Mayor Waring appointed Mr. McIntosh, Mr. Bailey, Chief Wright, and Amy Evans to a special committee to gather more information on this subject.

### **PUBLIC COMMENT (OPEN):**

David Neal expressed his concern with the Sawmill Branch Trail. He stated that he hopes that the Town will continue to make improvements to the East Richardson parking lot, and reported that the Police Chief has been very helpful in updating him on a median on Highway 17A.

Linda Whetsell expressed her concerns with no police presence, flooding, trash, and unkept ditches on Atlantic Street. She also stated that there are people sleeping in the park in the morning that need a better place to stay. She stated that she did not want to mail her light bill anymore, and that she wishes to have the Dominion building open for check dropoff. Ms. Whetsell expressed her concern with Senators Graham and Scott not calling her back. She stated that there are beer cans on the lot next to her and that she can't get any peace and quiet.

**EXECUTIVE SESSION:**

Mr. McIntosh made a motion, seconded by Mr. Brown, to enter into Executive Session to

- Receive legal advice concerning the lease for 100 West Richardson Ave, Suite A
- Discuss contractual matters regarding the sale/lease of a portion of the Woodlands Tract and the Kramer building
- Receive legal advice concerning access to 107 Allison Lane
- The motion carried, and Council entered into Executive Session at 7:30pm.

Council reconvened at 8:25pm. Town Attorney GW Parker stated that no action was taken on the items discussed in Executive Session as listed above.

**OTHER BUSINESS AS NECESSARY:**

Mr. McIntosh made a motion, seconded by Mr. Jackson, to give first reading to an ordinance to lease 100 West Richardson Avenue, Suites A&B. The motion carried unanimously.

Mr. Jenkins made a motion, seconded by Mr. McIntosh, to authorize staff to get an appraisal on the Kramer building. The motion carried unanimously.

**ADJOURN:**

Mr. Jackson made a motion, seconded by Mr. McIntosh, to adjourn. The motion carried unanimously, and the meeting adjourned at 8:26pm.

Respectfully Submitted,



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Beth Messervy, Town Clerk

APPROVED:



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Ricky Waring, Mayor