



**TOWN OF SUMMERVILLE
STANDING COMMITTEES OF COUNCIL MEETINGS**

Training Room: Parks & Recreation, Planning & Development, Public Safety and Public Works

Council Chambers: Finance Committee

Monday, August 5, 2019 - 5:30 p.m.

AGENDAS

1. Parks and Recreation Committee:

- a. Rollins Edwards Community Center update and insurance discussion

2. Planning and Development Committee

- a. Petition by Iron Gate Homes, LLC to annex Dorchester County TMS# 136-00-00-140 (approximately 3.82 acres), Lots 1 and 2, located at 111 W. Butternut Rd., currently zoned R-4 Multi-Family Residential in Dorchester County and will be zoned R-3 Single-Family Residential Attached Buildings (Lot 2) and B-2 Neighborhood Business Center (Lot 1) upon annexation into the Town of Summerville's municipal limits. (Council District 1) (Planning Commission held a public hearing and made a motion to recommend approval at their meeting on July 15, 2019.)
- b. Discussion of development plan approval process as it relates to proposed moratorium
- c. Comprehensive Plan & Master Transportation Plan update

3. Public Safety: *No meeting for August*

4. Public Works Committee:

- a. Road Resurfacing
- b. Bear Island Road
- c. Maple Street
- d. Arbor Oaks Drainage
- e. Shepard Park Drainage
- f. Parkwood Drive Sidewalk
- g. King Charles Circle Sidewalk
- h. Central Avenue Sidewalk Project
- i. Five Points Intersection

5. **Finance Committee:**

- a. Public Comment (Pertaining to Finance Committee agenda items only)
- b. Presentation of July 2019 Financial Report - Andrew Shelton
- c. Presentation by Creech & Associates of Space Needs Analysis and Master Facilities Plan
- d. Century 21 building lease renewal
- e. Financial Requisitions:
 - i. Authorization to issue a purchase order to Carolina Recording Systems, LLC in the amount of \$48,427.14 for a 911 communications recording system. Funds to come from 911 funds. Carolina Recording Systems is the sole source for this purchase.
 - ii. Authorization to issue a purchase order to Snap-On Industrial in the amount of \$35,743.94 for 1 22K 2-post lift and 1 10K 2-post lift. Funds to come from budgeted capital funds. This is a State contract.
 - iii. Authorization to issue a purchase order to Michael Baker, Inc. in the amount of \$514,863.11 for the development of final construction plans, permitting, and construction administration for the Maple Street Project. Funds to come from roadway bond proceeds.
- f. Surplus Items:
 - i. Authorization to surplus and sell Ladder 303, a 1994 E-One Protector TC 75ft. Aerial, E-One Shop Order #13852 to C and B Fire Department for \$27,000.00. Funds to go to general fund.

6. **Discussion of Proposed/Upcoming Council Agenda Items**

- a. First reading of an amendment to the purchasing ordinance

7. **Miscellaneous**

- a. Mayor's Comments

8. **Adjourn**



TOWN OF SUMMERVILLE PARKS & RECREATION DEPARTMENT
"Creating Sense of Place Through Parks & Play"

TO: Parks & Recreation Committee Members
CC: Colin Martin, Town Administrator
Russ Cornette, Public Works Director
Beth Messervy, Town Clerk
FROM: Doyle Best, Parks & Recreation Manager
DATE: August 2, 2019
RE: Parks & Recreation Committee Report – August 2019 Meeting

1) RECC Update / Insurance Discussion

- Following our ribbon cutting and grand opening on June 28, the facility opened to the general public on Monday, July 1.
- In the month of July, we sold 32 facility memberships and have had over 500 individuals come in for open gym time (343 for basketball/volleyball, 140 for pickleball, and 28 for "tot time").
- Our fitness classes are scheduled to begin on September 3, and include Total Body Fitness, Cardio Fit, Kids'/Adult Karate, Tai Chi, Women's Self Defense, Yoga, Enhance Fitness, WERQ Dance Fitness. Classes are being led by independent contractors who will be paid a percentage of revenues from their individual classes.
- *Insurance Discussion* – In our Independent Contractor packets, we noted that all contractors needed to provide proof of liability insurance for their business/employees. We've had a few potential instructors ask if that is mandatory for all classes – namely music and/or art-type classes. Representatives from SCMIRF/MASC *recommend* (not mandate) requiring individual insurance for all contractors. City of Charleston does not require their independent contractors to provide insurance - City of Goose Creek does. Staff is requesting direction from the Parks & Recreation Committee and Town Council on how to proceed.

2) Other Business, As Necessary

Sincerely,

Doyle Best | Manager, Parks & Recreation

**ANNEXATION REQUEST
STAFF REPORT
PLANNING & DEVELOPMENT COMMITTEE
August 5, 2019**

TMS#: 136-00-00-140

Location: 111 W. Butternut Rd.

Description: In process of subdividing into two lots totaling 3.82 acres

Request: Annexation and zoning to B-2 (Lot 1) and R-3 (Lot 2)

The property owner, Iron Gate Homes, LLC, is requesting for the above referenced parcel to be annexed and zoned to R-3, Single-Family Residential (attached buildings) and B-2, Neighborhood Business Center. The owner is in the process of subdividing the property into two lots.

This property is included in the Town's 'Rural Residential Neighborhood' area as identified within the Town's 2009-2011 Comprehensive Plan and Update as well as on the accompanying Future Land Use Map; however, it also fronts a community-oriented corridor and falls just outside a commercial activity center node.

While the rural residential neighborhood area promotes low-density residential neighborhoods with limited infrastructure, the proposed B-2 zoning as stated on the application for this site falls within the description of land uses included along community-oriented corridors and in the commercial activity center node. Townhouses, as allowed in the R-3 zoning, are also recommended along community-oriented corridors. In addition, this property is immediately adjacent to other properties outside of the Town limits that are zoned R-4 in Dorchester County, which would allow for similar or more intensive uses. Based on these findings this request is interpreted by staff to be in conformance with the Town's Comprehensive Plan and is recommended for approval.

The Town of Summerville Planning Commission Meeting
Minutes
July 15, 2019

This meeting of the Town of Summerville Planning Commission was attended by Commission Members, Jim Reaves, Chairman; Betty Profit; Jonathan Lee; Tom Hart; and Kevin Carroll. Staff in attendance included Jessi Shuler, Director of Planning.

Jim Reaves, Chairman, called the meeting to order at 4:06 PM.

Approval of Minutes:

The Chairman asked if there were any edits or additions to the minutes from the meeting on June 17, 2019. Mr. Carroll made a motion for approval, and Ms. Profit made the second. The motion passed unanimously.

Public Hearings:

The first public hearing opened at 4:08 PM and was for the petition by Iron Gate Homes, LLC to annex Dorchester County TMS# 136-00-00-140 (approximately 3.82 acres), Lots 1 and 2, located at 111 W. Butternut Rd., currently zoned R-4 Multi-Family Residential in Dorchester County and will be zoned R-3 Single-Family Residential Attached Buildings (Lot 2) and B-2 Neighborhood Business Center (Lot 1) upon annexation into the Town of Summerville's municipal limits. Mr. Reaves introduced the request. Chris Calabrese stated that he was one of the owners. He explained the plan to subdivide the property into two lots, and pointed out that the proposed zoning was comparable to the existing R-4 zoning in Dorchester County. Mr. Calabrese noted that the proposed Lot 1 was no longer viable for residential due to power lines and an electrical substation on the site, and the proposed Lot 2 would have a lower density if granted the requested R-3 zoning, than the 13 units/acre allowed currently in the County. Teresa Gallagher of 101 Canterling Hills Lane asked about the proposed use of the property. Mr. Reaves responded that according to the information given to staff, the business use would be a salon and golf cart storage, and the residential use would be townhomes. Ms. Gallagher had further questions about the adjacent property and what would be allowed, which Mr. Reaves could not answer as it was not in the Town's jurisdiction. She stated that she was concerned about traffic, the lack of sidewalks, the 45 mph speed limit, and a loss of her property value. Ms. Gallagher questioned if the residences would be low income or fixed income. Edwin Babb, who is proposing to use the property in question for his business, stated that he himself lives in Huntington Farms and would not do anything to jeopardize the property values. Hearing no further comment, the public hearing was closed at 4:18 PM.

Old Business

There were no items under Old Business.

New Business:

The first item under New Business was New Street Names (as applicable). Ms. Shuler explained that they did not have any street names for approval.

The second item under New Business was the petition by Iron Gate Homes, LLC to annex Dorchester County TMS# 136-00-00-140 (approximately 3.82 acres), Lots 1 and 2, located at 111 W. Butternut Rd., currently zoned R-4 Multi-Family Residential in Dorchester County and will be zoned R-3 Single-Family Residential Attached Buildings (Lot 2) and B-2 Neighborhood Business Center (Lot 1) upon annexation into the Town of Summerville's municipal limits. Mr. Reaves introduced the request. Mr. Carroll made a motion to recommend approval of the annexation to Council, and Mr. Lee made the second. The motion passed unanimously.

Miscellaneous:

Ms. Shuler reminded the Planning Commission that the next Comprehensive Plan Advisory Committee (CPAC) meeting would be July 23, 2019, and they would be considering the Issues and Opportunities Memo (IOM) drafted by the consultant. The CPAC meeting will be followed by a public visioning workshop on the same date from 6:00 – 7:30 p.m. Both will be held at the Rollins Edwards Community Center. She stated that she had emailed the Commission members the draft IOM, and if they could please review and provide comments.

Adjourn

With no further business for the Commission, Mr. Carroll made a motion to adjourn with Ms. Profit making the second, and Mr. Reaves adjourned the meeting at 4:21 PM.

Respectfully Submitted,

Jessi Shuler
Director of Planning

Date: _____

Approved: _____
Jim Reaves, Chairman or Elaine Segelken, Vice Chairman



TOWN OF SUMMERVILLE ANNEXATION APPLICATION



1. **OWNER INFORMATION:** Please complete the following application to request that your property be incorporated into the municipal limits of the Town of Summerville. Phone numbers will not be published. All owners of the property sign page two and submit it to the Planning Department.
*Required

*Property Owner(s): IRON GATE HOMES, LLC

*Mailing Address: P.O. Box 2499 *Telephone: 843-813-5550

*City: MT. PLEASANT *State: SC *Zip: 29465 Email: CHRIS_CALABRESE

@HOTMAIL.COM

2. **PROPERTY INFORMATION:** Municipalities must provide the U. S. Justice Department with the population demographics and the land use of each property added to the Town. Write "None" if the property is vacant. Population data is used to create voting districts and does not impact the decision to approve your annexation.

*Property Address: 111 W. BUTTERNUT Tax Map Number: 136-00-00-140

*Number of Current Residents: 0 *Race of Current Residents: N/A

Current Land Use: VACANT Future Land Use: 1 ALON / GOLF CART STORAGE (LOT 1)
(i.e. home, bank, carwash, etc.) (i.e. home, bank, carwash, etc.)

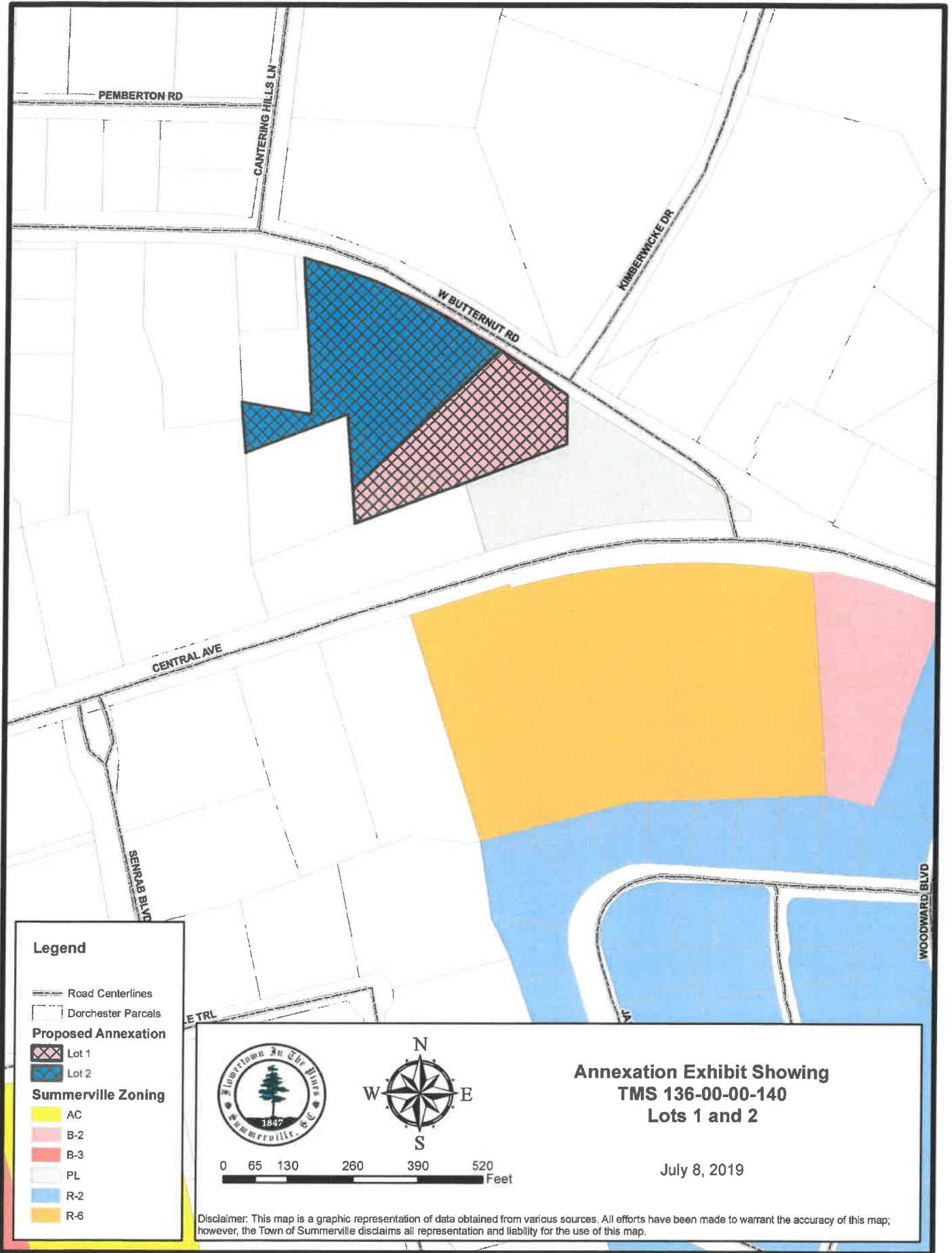
Current County Zoning Classification: R-4

Requested Zoning Classification: B-2 (LOT 1) / R-3 (LOT 2)

3. **SUBMIT APPLICATION:** Please submit signed* application and a copy of the recorded plat and recorded deed to:

MAIL: Town of Summerville, 200 S. Main Street, Planning Department

PICKUP: Call the Planning Department at 843.851.4214



ORDINANCE

TO ANNEX TO, AND INCORPORATE WITHIN THE CORPORATE LIMITS OF THE TOWN OF SUMMERVILLE, THAT AREA OWNED BY IRON GATE HOMES, LLC, 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 #136-00-00-140 (approximately 3.82 acres), located at 111 W. Butternut Rd. and shown as Lot 1 and Lot 2, as described on the attached plat, has petitioned the Town Council of the Town of Summerville to annex to 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 and be classified as B-2 "Neighborhood Business Center" for Lot 1 and R-3 "Single-Family Residential (attached buildings)" for Lot 2 under the Zoning Ordinance of the Town of Summerville.

Ratified this _____ day of _____, 2019 A.D.

William W. Johnson, Mayor

Beth Messervy, Clerk to Council

PUBLIC HEARING: _____

FIRST READING: _____

SECOND READING: _____

STATE OF SOUTH CAROLINA)
)
COUNTY OF DORCHESTER)

PETITION FOR ANNEXATION

TO THE HONORABLE MAYOR AND TOWN COUNCIL OF SUMMERVILLE

WHEREAS, SECTION 5-3-150 (3) Code of laws of South Carolina provides for the annexation of an area or property which is contiguous to a Town by filing with the municipal governing body a petition signed by all persons owning real estate in the area requesting annexation, and

WHEREAS, the undersigned are all persons owning real estate in the area requesting annexation, and

WHEREAS, the area requesting annexation is described as follows, to wit:

SAID PROPERTY, located at 111 W. BUTTERNUT, SUMMERVILLE (approximately 3.8 acres) to be annexed is identified by the DORCHESTER County Assessor's Office as Property Identification Number: TMS # 136-00-00-140 to include, if necessary to establish contiguity, any road, waterway, easement, railroad track, marshland or utility line that intervenes between this property and the municipal limits of the Town of Summerville.

NOW, THEREFORE, the undersigned petition the Town Council of Summerville to annex the above described area into the municipal limits of the Town of Summerville.

Dated this 18TH day of JUNE, 2019.

FREEHOLDERS (OWNERS) SIGNED

DATE OF SIGNATURE


(Signature)

6-18-19
(Date)

CHRISTOPHER J. CALABRESE
(Print Name) MEMBER, IRON GATE HOMES, LLC

(Date)

(Signature)

(Print Name)

STATE OF SOUTH CAROLINA) MASTER'S DEED
COUNTY OF DORCHESTER) CASE NO.: 2018-CP-18-00785

After Recording Return to
Weeks & Irvine, LLC
8086 - B Rivers Avenue
North Charleston, SC 29406

TO ALL TO WHOM THESE PRESENTS SHALL COME OR BE MADE KNOWN OR WHOM THE SAME MAY IN ANYWISE CONCERN, I, James E. Chellis, as Master-In-Equity for the County of Dorchester, State of South Carolina, Send Greetings:

WHEREAS on or about the 2nd day of May, 2018, WBL SPE II, LLC., did exhibit its Complaint in the Court of Common Pleas in the County of Dorchester, State of South Carolina, against Stat Medical X-Ray Tubes, Inc.; Scudder Properties & Leasing LLC,

WHEREAS the Cause, being at issue before the Honorable Court aforesaid, came on to be heard January 10, 2019 when the said Court, after a full hearing thereon, made mature deliberation in the Premises, Did Order, Adjudge and Decree that the premises hereinafter mentioned and described, should be sold at public auction on the terms and for the purposes mentioned in said Decretal Order as by reference thereto, on file in the said Court, will appear;

WHEREAS, James E. Chellis, as Master-In-Equity for Dorchester County, after having duly advertised the said premises for sale by Public outcry, on 5th day of February, 2019 did then, openly and publicly, and according to the custom of auction, sell and dispose of the said premises below described, unto Iron Gate Homes, LLC, for the sum of Two Hundred Twenty-Five Thousand One Hundred and No/100ths Dollars (\$225,100.00), being, at that price, the highest bidder for the same.

WHEREAS, Iron Gate Homes, LLC has now complied with its bid; NOW, THEREFORE,

KNOW ALL MEN AND WOMEN, That I, James E. Chellis, as Master-In-Equity for Dorchester County, for and in consideration of the recitals, and also in consideration of the sum of Two Hundred Twenty-Five Thousand One Hundred and No/100ths Dollars (\$225,100.00), paid to me by Iron Gate Homes, LLC, the receipt whereof is hereby acknowledged, have granted, bargained, sold and released, and by these Presents, do grant, bargain, sell and release unto:

Iron Gate Homes, LLC

ALL that lot, piece, or parcel of land, situate, lying and being in the County of Dorchester, Dorchester Township, State of South Carolina and as more particularly shown on "PLAT OF LAND OWNED BY HARRY HERBERT PENDARVIS, JR. DORCHESTER TOWNSHIP," by C.D.S. Land Surveying and Mapping, Hager E. Metts R.L.S., Starting at a point of beginning as shown on said plat as point a, being on the Southwestern right-of-way of road No. S-18-13, from said point beginning, south 06 37, west, 80.43 feet to point B, thence South 65 03 West, 24.5 feet to Point C; thence South 77 37 West, 439.79 feet thence North 04 46" East, 219.78 feet, thence

[Type here]

Iron Gate Homes, LLC 19-01196JH
2018-CP-18-00785

South 77.37 West, 219.78 feet to the land of Bruce Brown, as shown on said plat, thence North 04 44 East, 101.6 feet, thence South 71 53' East 140.0 feet, thence North 04 44, East 313.70 feet to the Southwestern boundary of road S-10-58, thence South 64 47 East, 47.9 feet to a pin, thence south 62:78: East, 48.34 feet to a pin, thence South 59 24 East 48.30 feet to a pin, thence south 56 25 East, 48.29 feet to a pin, thence South 53 28, East 48.50 feet to a pin, thence South 51 12, East 49.14 feet to a pin, thence South 50 29, East 49.62 feet to a pin, thence South 50 03 East; 269.08 feet back to the point of beginning said plat recorded January 12, 1983 in plat Cabinet D; slide 247, in the office of the Clerk of Court for Dorchester County.

THIS BEING the same property conveyed to Scudder Properties & Leasing LLC by deed of Wavey Van Meter, dated April 12, 2012 and recorded May 11, 2012 in the ROD Office for Dorchester County in Book 8292 at Page 283.

TMS# 136-00-00-140

ADDRESS: 111 W Butternut, Summerville SC 29483

Grantee's Address: . PO Box 2499 Mt Pleasant, SC 29465

TOGETHER with all and singular rights, members, hereditaments and appurtenances whatsoever, to the said premises belonging, or in anywise appertaining, and the reversions and remainders, rents, issues and profits thereof; and also all the estate, right, title, dower, possessions, property, benefit, claim and demand whatsoever, both at law and in equity, of the said Stat Medical X-Ray Tubes, Inc.; Scudder Properties & Leasing LLC ;and of all the parties to the said suit and of all other persons rightfully claiming or to claim the same, or any part thereof, by from or under all the parties to the suit, or any of them.

Subject to assessments, taxes, easements, conditions and restrictions of record and otherwise affecting the property.

TO HAVE AND TO HOLD, the said premises with its hereditaments, privileges and appurtenances unto the said Iron Gate Homes, LLC, its Successors and/or Assigns forever.

[Type here]

Iron Gate Homes, LLC 19-01196JH
2018-CP-18-00785

IN WITNESS WHEREOF, I, the said James E. Chellis, as Master-In-Equity for
Dorchester County, under and by virtue of the said Decree, have hereunto set my Hand and Seal
at St. George, South Carolina Feb 26 2019

Sealed and Delivered in
The Presence of:

Amanda E. Smith

James E. Chellis
James E. Chellis
Master-In-Equity for Dorchester County

Meagan A. Kizer

STATE OF SOUTH CAROLINA)
COUNTY OF DORCHESTER)

PERSONALLY appeared before me came the undersigned witness and made oath that (s)he saw
the within named James E. Chellis, Master-In-Equity for Dorchester County, sign, seal, and as his act
and deed, deliver the within written Deed; and that (s)he with the other witness whose signature appears
above witnessed the execution thereof. ¶

Amanda E. Smith

SWORN to before me February 26, 2019

Meagan A. Kizer
Notary Public for South Carolina
My Commission Expires: 10/07/2023
19-01196JH meagan kizer

the witness is not a
party or beneficiary to
the transaction

[Type here]

Javis
Iron Gate Homes, LLC 19-01196JH
2018-CP-18-00785

STATE OF SOUTH CAROLINA
COUNTY OF DORCHESTER

)
) AFFIDAVIT
)

Date of Transfer of Title
February 15, 2019

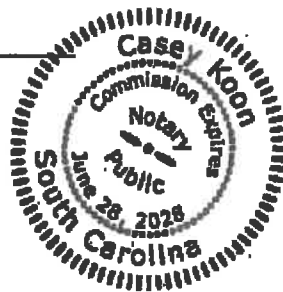
PERSONALLY appeared before me the undersigned, who being duly sworn, deposes and says:

1. I have read the information on this Affidavit and I understand such information.
2. The property being transferred is located at 111 West Butternut Road, Summerville, SC 29483, bearing County Tax Map Number 136-00-00-140, was transferred by Master in Equity for Dorchester County TO Iron Gate Homes, LLC on February 26, 2019.
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 \$225,100.00.
 - 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. EXEMPT from the deed recording fee because _____ (Explanation, if required: n/a if exempt, please skip items 4-6 and go to Item No. 7 of this affidavit.
- If exempt under exemption #14, did the agent and principal relationship exist at the time of the original sale and was the purpose of this relationship to purchase the realty? Check Yes or No
4. Check one of the following if either item 3(a) or item 3(b) above 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 \$225,100.00.
 - 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 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. (This includes, pursuant to Code Section 12-59-140(E)(6), any lien or encumbrance on realty in possession of a forfeited land commission which may subsequently be waived or reduced after the transfer under a signed contract agreement between the lien holder and the buyer existing before 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: \$225,100.00
 - b. Place the amount listed in Item 5 above here: \$0.00
(If no amount listed, place zero here.)
 - c. Subtract line 6(b) from line 6(a) and place result here: \$225,100.00
7. The deed recording fee due is based on the amount listed on Line 6(c) above and the deed recording fee due is: \$834.35.
8. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as Personal Representative.
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 the 5 day of March, 2019.

Mark W Weeks
Personal Representative

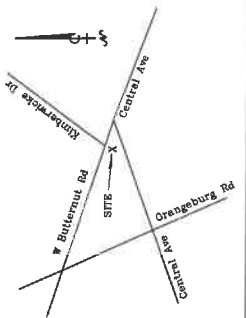
Cassey Koon
Notary Public
My Commission Expires: 10/29/28
(SEAL)



NUM	DELTA	ARC	RADIUS	BEARING	DISTANCE
1	17°08'08"	275.81'	9822.22'	N69°42'30" W	274.70'



Vicinity Map NTS

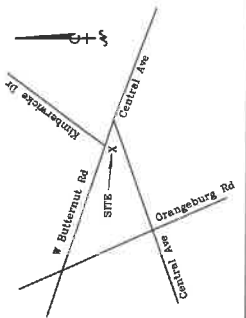


- NOTES:**
- Reference Tax Map Number 136-00-00-140
 - Reference Plat Cabinet L, page 11
Plat Cabinet L, page 85
Charleston, SC
S2007 Deed# Punter 16.322
 - Property owner: Scudder Properties and Leasing.
 - This property may be subject to various utility easements and encroachments. The locations of all utility easements noted in the plat referenced herein, nor in the other title information noted herein. This plat does not address any easements conditions of any nature, unless specifically noted.
 - Survey was made by investigation or independent search for easements of any nature, unless specifically noted as accurate and current title search may disclose.
 - Declaration is made to Original Purchaser of the survey. It is not transferable to additional institutions or subsequent owner.
 - This lot has been checked against area FEMA maps and to the best of this surveyor's knowledge, this lot is not in a Special Flood Hazard Area (SFHA) Map No. 4505C03288 7-18-2017. Flood zones should be verified with the governing municipality before design and construction.
 - Subsurface and environmental conditions were not examined or considered as a part of this survey.
 - Property address: 111 West Butternut Road
 - Anything shown outside the defined boundary of this survey is for descriptive purposes only.
 - Municipal boundary line is collocated with property line. It is shown offset for clarity.

NUM	DELTA	ARC	RADIUS	BEARING	DISTANCE
2	17°08'08"	275.81'	9822.22'	N69°42'30" W	274.70'



Vicinity Map NTS



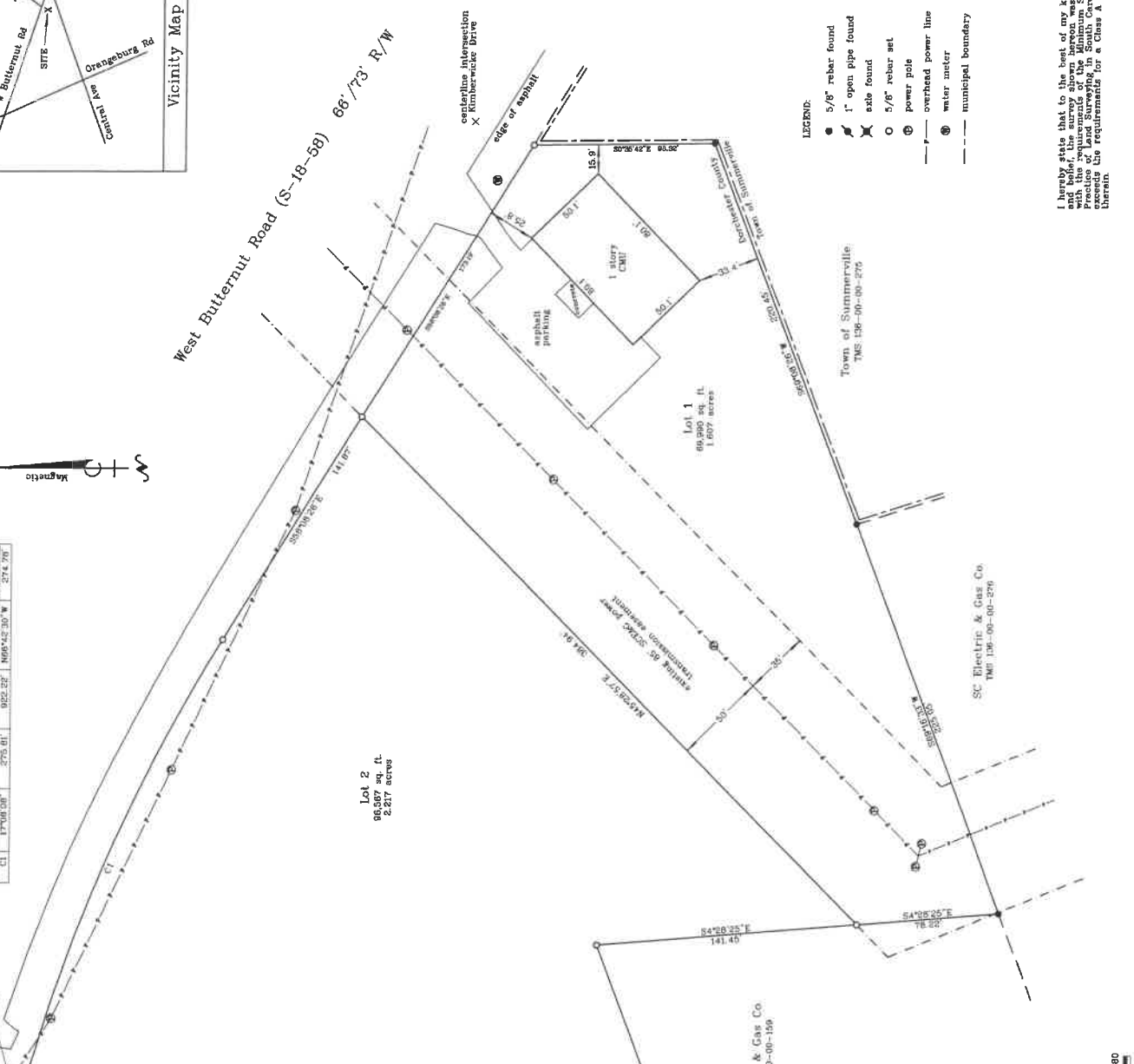
Plat to Subdivide
TMS 136-00-00-140
111 West Butternut Road
into New
Lot 1 and Lot 2
Located
Near Summerville
Dorchester County, South Carolina

FIELD DATE: May 30, 2019
SCALE 1" = 40'



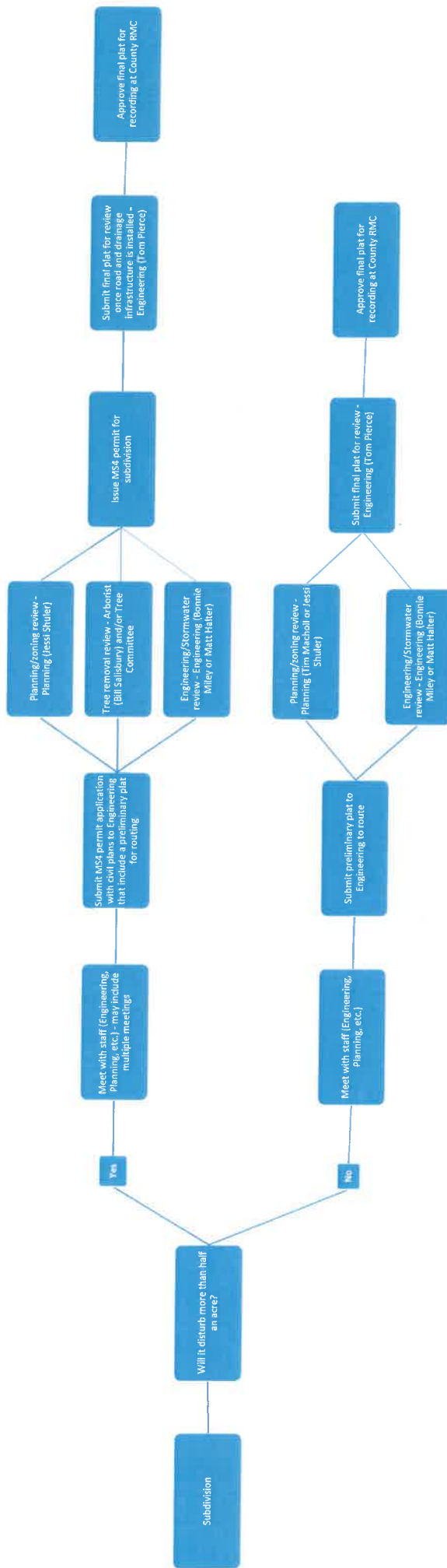
8952.DWG

2065 SAVANNAH HIGHWAY STE. 2
CHARLESTON, SC 29407
PHONE (803) 741-1991
FAX (803) 711-7447
palmetto@palmetto.net



I hereby state that to the best of my knowledge, information, and belief, this survey shows herein was made in accordance with the requirements for the Practice of Land Surveying in South Carolina, and meets or exceeds the requirements for a Class A survey as specified therein.

James C. Pennington, P.L.S. No. 10280
Palmetto Land Surveying, Inc.
2065 Savannah Highway Suite 2
Charleston, S.C. 29407 371-5181



Sec. 32-15. - Vested rights; established.

- (a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Approved means a final review and approval in accordance with its established procedures by the town of a site specific development plan. Phased development plans remain subject to review of all phases prior to being vested.

Land development ordinances means those ordinances which address the development of land and may include, but are not limited to, zoning, subdivision, road construction and dedication, mobile home, advertising and agriculture siting ordinances.

Landowner means an owner of a legal or equitable interest in real property including heirs, devisees, successors and assigns and personal representatives of the owner. It may include a person holding a valid option to purchase real property pursuant to a contract with the owner to act as his agent or representative, for purposes of submitting a proposed development plan.

Phased development plan means a development plan submitted to a city government by a landowner that shows the types and density or intensity of uses for a specific property or properties to be developed in stages.

Site development plan means a plan submitted by a landowner which describes with reasonable certainty the types and density or intensity of uses for specific property.

Town shall mean the incorporated boundaries of the Town of Summerville.

Vested right means the right to undertake and complete the development of property under the terms and conditions of a site specific development plan in conjunction with this ordinance and in conformity with town land development ordinances and upon final approval by the town.

- (b) *Vested rights.*

- (1) A vested right is established for two years upon the final written approval of a development by council or staff. Such vested right shall receive five, one-year extensions upon proper application as designated by the town, by the landowner in each year the extension is desired.
- (2) A vested right in a site specific development plan shall not attach until all plans have been received, approved and all fees paid in accordance with the procedure outlined in subsection (b)(3), below. All administrative appeals must be resolved in favor of the applicant before a vested right attaches. Vested rights attached upon final approval by the town.
- (3) The standard procedure for receiving a building or land disturbance permit still applies.
- (4) The act does not require that a phased development be granted a vested right. If the town decides to include such as being eligible for vesting, it must receive a two-year vesting and the town may require specific approval of each phase when it becomes site specific.
- (5) A zoning board of adjustment or board of appeals, does not have the authority to grant a vested right and no such right shall accrue as a result of their decision.
- (6) Variances or special exceptions do not create a vested right.

(Ord. No. 05-0503, §§ 1—3, 6-30-2005)

TOWN OF SUMMERSVILLE
REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: JULY 31ST, 2019

100-GENERAL FUND
FINANCIAL SUMMARY

	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	ENCUMBRANCE	Y-T-D BALANCE	% OF BUDGET
REVENUE SUMMARY							
PROPERTY TAXES	13,012,133.00	359,586.50	0.00	11,104,676.99	0.00	1,907,456.01	85.34
LICENSES, PERMITS & FEES	13,382,698.00	655,857.46	0.00	12,411,944.70	0.00	970,753.30	92.75
COURT FINES & FEES	290,000.00	0.00	0.00	116,283.90	0.00	173,716.10	40.10
FEDERAL GOV'T GRANTS	0.00	0.00	0.00	7,134.46	0.00	(7,134.46)	0.00
STATE REVENUES	2,720,736.00	183,183.70	0.00	1,560,929.03	0.00	1,159,806.97	57.37
MISCELLANEOUS REVENUES	1,580,184.00	44,623.73	0.00	1,272,626.15	0.00	307,557.85	80.54
OTHER FINANCING SOURCES	4,527,478.00	160,925.00	0.00	1,126,475.00	0.00	3,401,003.00	24.88
TOTAL REVENUES	35,513,229.00	1,404,176.39	0.00	27,600,070.23	0.00	7,913,158.77	77.72

EXPENDITURE SUMMARY

MUNICIPAL COURT	601,576.00	47,883.77	0.00	291,972.73	0.00	309,603.27	48.53
FINANCE	598,851.00	44,600.30	0.00	288,580.90	0.00	310,270.10	48.19
ADMINISTRATION	1,924,505.00	176,495.70	12,500.00	1,104,387.77	4,400.00	828,217.23	56.96
PLANNING	629,761.00	61,739.73	9,456.54	284,618.17	167,241.35	187,358.02	70.25
BUILDING/INSPECTIONS	721,104.00	60,883.32	0.00	380,883.14	0.00	340,220.86	52.82
TOWN ENGINEER	673,965.00	55,715.18	9,792.00	365,303.58	0.00	318,453.42	52.75
POLICE DEPT	9,733,746.00	797,634.81	0.00	4,785,908.54	113.05	4,947,724.41	49.17
FIRE DEPT	8,313,031.00	741,707.42	25,512.01	4,425,408.10	59,257.34	3,853,877.57	53.64
COMMUNICATION CENTER	1,278,079.00	92,858.33	0.00	596,665.03	0.00	681,413.97	46.68
MAINTENANCE DEPT	791,010.00	61,537.28	0.00	370,898.37	0.00	420,111.63	46.89
STREET DEPT	2,326,196.00	206,017.64	17,434.56	1,205,266.35	0.00	1,138,364.21	51.06
PARKS & RECREATION	2,742,703.00	239,265.09	6,841.18	1,361,585.43	2,776.95	1,385,181.80	49.50
DEBT SERVICES	558,823.00	0.00	0.00	481,791.12	0.00	77,031.88	86.22
BUILDINGS & GROUNDS	1,896,843.00	454,706.32	0.00	1,400,990.51	43,855.00	451,997.49	76.17
CAPITAL EXPENDITURES	2,432,681.00	90,383.57	1,498,630.00	2,487,905.36	1,161,014.96	282,390.68	88.39
NON-DEPARTMENTAL TRANSFERS	224,956.00	4,862.74	27,010.00	64,137.60	7,490.00	180,338.40	19.83
TOTAL EXPENDITURES	65,399.00	0.00	0.00	5,000.00	0.00	60,399.00	7.65
TOTAL EXPENDITURES	35,513,229.00	3,136,291.20	1,607,176.29	19,901,302.70	1,446,148.65	15,772,953.94	55.59
REVENUE OVER/ (UNDER) EXPENDITURES	0.00	(1,732,114.81)	1,607,176.29	7,698,767.53	(1,446,148.65)	(7,859,795.17)	0.00

\$26,545 POLICE VEHICLE
\$58,985 TRAILER-STREETS

TOWN OF SUMMERSVILLE
REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: JULY 31ST, 2019

100-GENERAL FUND
REVENUES

	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
PROPERTY TAXES							
4-0000-10-101 PRIOR YEARS TAXES	288,568.00	25,169.77	0.00	172,068.58	0.00	116,499.42	59.63
4-0000-10-102 REAL PROPERTY TAXES	10,888,110.00	243,712.94	0.00	9,773,825.98	0.00	1,114,284.02	89.77
4-0000-10-103 VEHICLE PROPERTY TAXES	1,413,455.00	90,703.79	0.00	707,715.85	0.00	705,739.15	50.07
4-0000-10-104 HOMESTEAD TAXES	342,000.00	0.00	0.00	364,657.79	0.00	(22,657.79)	106.63
4-0000-10-106 HEAVY EQUIP RENTAL TAX	80,000.00	0.00	0.00	86,408.79	0.00	(6,408.79)	108.01
TOTAL PROPERTY TAXES	13,012,133.00	359,586.50	0.00	11,104,676.99	0.00	1,907,456.01	85.34
LICENSES, PERMITS & FEES							
4-0000-20-202 CABLE TV FRANCHISE FEES	384,980.00	0.00	0.00	96,293.36	0.00	288,686.64	25.01
4-0000-20-203 ELECTRIC & GAS FRANCHIS	1,926,538.00	0.00	0.00	1,782,749.30	0.00	143,788.70	92.54
4-0000-20-210 BUSINESS LICENSES	4,600,000.00	544,906.90	0.00	4,344,454.43	0.00	255,545.57	94.44
4-0000-20-211 BUSINESS LICENSE PENALT	60,000.00	8,716.56	0.00	36,069.86	0.00	23,930.14	60.12
4-0000-20-212 BUSINESS LICENSE - INSUR	5,286,700.00	0.00	0.00	5,335,651.81	0.00	(48,951.81)	100.93
4-0000-20-214 TELEPHONE LICENSES/FEES	145,000.00	0.00	0.00	128,244.83	0.00	16,755.17	88.44
4-0000-20-216 BUILDING PERMITS	950,000.00	101,804.00	0.00	640,102.09	0.00	309,897.91	67.38
4-0000-20-217 RE-INSPECT FEES	2,000.00	150.00	0.00	1,300.00	0.00	700.00	65.00
4-0000-20-218 PLANNING FEES	11,000.00	40.00	0.00	18,564.00	0.00	(7,564.00)	168.76
4-0000-20-220 TREE PERMIT/PENALTY	2,800.00	240.00	0.00	3,275.02	0.00	(475.02)	116.97
4-0000-20-221 STORMWATER PLAN REVIEW F	13,680.00	0.00	0.00	25,240.00	0.00	(11,560.00)	184.50
TOTAL LICENSES, PERMITS & FEES	13,382,698.00	655,857.46	0.00	12,411,944.70	0.00	970,753.30	92.75
COURT FINES & FEES							
4-0000-25-252 MUNICIPAL COURT FINES	290,000.00	0.00	0.00	116,283.90	0.00	173,716.10	40.10
TOTAL COURT FINES & FEES	290,000.00	0.00	0.00	116,283.90	0.00	173,716.10	40.10
STATE REVENUES							
4-0000-30-301 LOC OPT SALES TAX-CHAS	173,560.00	17,475.10	0.00	102,696.19	0.00	70,863.81	59.17
4-0000-30-302 LOC OPT SALES TAX-BERK	1,384,095.00	152,058.60	0.00	839,046.47	0.00	545,048.53	60.62
4-0000-30-311 INVENTORY TAXES	78,600.00	0.00	0.00	39,300.36	0.00	39,299.64	50.00
4-0000-30-313 MANUFACTURER'S TAX EXEM	7,800.00	0.00	0.00	10,255.31	0.00	(2,455.31)	131.48
4-0000-30-321 AID TO SUBDIVISIONS	980,181.00	0.00	0.00	489,925.70	0.00	490,255.30	49.98
4-0000-30-325 BEVERAGE LICENSES	96,500.00	13,650.00	0.00	79,705.00	0.00	16,795.00	82.60
TOTAL STATE REVENUES	2,720,736.00	183,183.70	0.00	1,560,929.03	0.00	1,159,806.97	57.37

TOWN OF SUMMERSVILLE
REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: JULY 31ST, 2019

100 - GENERAL FUND
REVENUES

	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	ENCUMBRANCE	Y-T-D % OF BUDGET	BUDGET BALANCE	% OF BUDGET COMPLETED: 58.33
MISCELLANEOUS REVENUES								
4-0000-35-326 SPECIAL EVENTS MISC INCO	5,000.00	0.00	0.00	1,475.00	0.00	0.00	3,525.00	29.50
4-0000-35-351 INTEREST INCOME	155,000.00	0.00	0.00	64,699.64	0.00	0.00	90,300.36	41.74
4-0000-35-352 SALE OF ASSETS	80,000.00	7,550.00	0.00	75,711.55	0.00	0.00	4,288.45	94.64
4-0000-35-353 PARKS & PLAYGROUNDS FEE	34,000.00	450.00	0.00	25,700.00	0.00	0.00	8,300.00	75.59
4-0000-35-355 SCHOOL DIST 2 REIMBURSM	780,000.00	0.00	0.00	780,000.00	0.00	0.00	0.00	100.00
4-0000-35-358 VENDING COMMISSIONS-GAHA	6,000.00	0.00	0.00	4,328.00	0.00	0.00	1,672.00	72.13
4-0000-35-359 FED DRUG TASK FORCE OT	6,500.00	0.00	0.00	7,261.27	0.00	0.00	761.27	111.71
4-0000-35-360 MISCELLANEOUS INCOME	148,521.00	(2,485.00)	0.00	57,894.65	0.00	0.00	90,626.35	38.98
4-0000-35-362 PROPERTY RENTAL FEES	125,000.00	9,875.91	0.00	74,833.72	0.00	0.00	50,166.28	59.87
4-0000-35-363 CELLULAR TOWER RENTAL	89,189.00	7,825.34	0.00	59,736.92	0.00	0.00	29,452.08	66.98
4-0000-35-364 REPORT FEES	16,500.00	70.00	0.00	12,088.84	0.00	0.00	4,411.16	73.27
4-0000-35-365 ADMINISTRATIVE FEE	7,324.00	353.09	0.00	2,073.48	0.00	0.00	5,250.52	28.31
4-0000-35-366 FALSE ALARM FEES	10,000.00	0.00	0.00	13,365.00	0.00	0.00	3,365.00	133.65
4-0000-35-367 FUNERAL ESCORTS	0.00	500.00	0.00	1,100.00	0.00	0.00	1,100.00	0.00
4-0000-35-370 GAHAGAN FIELD/CONCESSION	4,350.00	120.00	0.00	5,265.00	0.00	0.00	915.00	121.03
4-0000-35-371 REGULAR LEAGUE FEES	52,000.00	2,930.00	0.00	56,827.40	0.00	0.00	4,827.40	109.28
4-0000-35-372 TOURNAMENT FEES	800.00	0.00	0.00	0.00	0.00	0.00	800.00	0.00
4-0000-35-374 GAHAGAN GATE FEES	32,000.00	11,025.39	0.00	13,123.68	0.00	0.00	18,876.32	41.01
4-0000-35-375 MISCELLANEOUS REV-REC DE	0.00	3,459.00	0.00	3,459.00	0.00	0.00	3,459.00	0.00
4-0000-35-376 CONCESSION REV-SOFTBALL	0.00	200.00	0.00	500.00	0.00	0.00	500.00	0.00
4-0000-35-380 TENNIS COMPLEX REVENUE	28,000.00	2,750.00	0.00	13,183.00	0.00	0.00	14,817.00	47.08
TOTAL MISCELLANEOUS REVENUES	1,580,184.00	44,623.73	0.00	1,272,626.15	0.00	0.00	307,557.85	80.54
OTHER FINANCING SOURCES								
4-0000-40-406 TRANSFER FROM HOSPITALIT	1,931,097.00	160,925.00	0.00	1,126,475.00	0.00	0.00	804,622.00	58.33
4-0000-40-408 TRANSFER FROM FUND BALAN	2,549,381.00	0.00	0.00	0.00	0.00	0.00	2,549,381.00	0.00
4-0000-40-409 TRANSFER FROM STATE ACCO	47,000.00	0.00	0.00	0.00	0.00	0.00	47,000.00	0.00
TOTAL OTHER FINANCING SOURCES	4,527,478.00	160,925.00	0.00	1,126,475.00	0.00	0.00	3,401,003.00	24.88
TOTAL REVENUES	35,513,229.00	1,404,176.39	0.00	27,600,070.23	0.00	0.00	7,913,158.77	77.72

**Town of Summerville
 Impact Fees Balance
 Balance as of JULY 30, 2019**

	<u>Residential</u>	<u>Commercial</u>	<u>TOTAL available</u>
Parks & Recs Facilities	364,773	0	364,773
Fire Facilities	365,273	128,956	494,229
Municipal Facilities	424,444	230,875	655,319
Totals	1,154,490	359,831	1,514,321

TOWN OF SUMMERSVILLE
 REVENUE & EXPENSE REPORT (UNAUDITED)
 AS OF: JULY 31ST, 2019

212-IMPACT FEES - RESIDENTIAL
 FINANCIAL SUMMARY

% OF YEAR COMPLETED: 58.33

	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	ENCUMBRANCE	Y-T-D BUDGET BALANCE	% OF BUDGET
<u>REVENUE SUMMARY</u>							
LICENSES, PERMITS & FEES	0.00	17,025.00	0.00	137,814.00	0.00	137,814.00	0.00
MISCELLANEOUS REVENUES	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL REVENUES	0.00	17,025.00	0.00	137,814.00	0.00	137,814.00	0.00
<u>EXPENDITURE SUMMARY</u>							
IMPACT FEES-RESIDENTIAL	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL EXPENDITURES	0.00	0.00	0.00	0.00	0.00	0.00	0.00
REVENUE OVER/(UNDER) EXPENDITURES	0.00	17,025.00	0.00	137,814.00	0.00	137,814.00	0.00

TOWN OF SUMMERVILLE
 REVENUE & EXPENSE REPORT (UNAUDITED)
 AS OF: JULY 31ST, 2019

213 - IMPACT FEES - COMMERCIAL
 FINANCIAL SUMMARY

% OF YEAR COMPLETED: 58.33

	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
<u>REVENUE SUMMARY</u>							
LICENSES, PERMITS & FEES	0.00	18,788.09	0.00	140,623.30	0.00	(140,623.30)	0.00
MISCELLANEOUS REVENUES	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL REVENUES	0.00	18,788.09	0.00	140,623.30	0.00	(140,623.30)	0.00
<u>EXPENDITURE SUMMARY</u>							
IMPACT FEES-COMMERCIAL	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL EXPENDITURES	0.00	0.00	0.00	0.00	0.00	0.00	0.00
REVENUE OVER/(UNDER) EXPENDITURES	0.00	18,788.09	0.00	140,623.30	0.00	(140,623.30)	0.00

TOWN OF SUMMERVILLE
 REVENUE & EXPENSE REPORT (UNAUDITED)
 AS OF: JULY 31ST, 2019

214-LOCAL HOSPITALITY TAX
 FINANCIAL SUMMARY

% OF YEAR COMPLETED: 58.33

	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	ENCUMBRANCE	Y-T-D BALANCE	% OF BUDGET
REVENUE SUMMARY							
LICENSES, PERMITS & FEES	3,868,635.00	360,380.43	0.00	2,479,200.94	0.00	1,389,434.06	64.08
MISCELLANEOUS REVENUES	80,000.00	425.00	0.00	27,612.25	0.00	52,387.75	34.52
OTHER FINANCING SOURCES	920,788.00	0.00	0.00	0.00	0.00	920,788.00	0.00
TOTAL REVENUES	4,869,423.00	360,805.43	0.00	2,506,813.19	0.00	2,362,609.81	51.48
EXPENDITURE SUMMARY							
LOCAL HOSPITALITY TAX	4,869,423.00	228,954.76	1,879,274.55	9,927,577.88	80,525.32	(3,259,405.65)	166.94
TOTAL EXPENDITURES	4,869,423.00	228,954.76	1,879,274.55	9,927,577.88	80,525.32	(3,259,405.65)	166.94
REVENUE OVER/(UNDER) EXPENDITURES	0.00	131,850.67	1,879,274.55	(7,420,764.69)	(80,525.32)	5,622,015.46	0.00

\$160,925 TRANSFER TO GF
 \$ 24,904 ARMORY BUILDING

TOWN OF SUMMERSVILLE
 REVENUE & EXPENSE REPORT (UNAUDITED)
 AS OF: JULY 31ST, 2019

500-STORMWATER MGMT FUND
 FINANCIAL SUMMARY

% OF YEAR COMPLETED: 58.33

	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	ENCUMBRANCE	Y-T-D BALANCE	% OF BUDGET
<u>REVENUE SUMMARY</u>							
MISCELLANEOUS REVENUES	0.00	0.00	0.00	4,848.80	0.00	(4,848.80)	0.00
OTHER FINANCING SOURCES	0.00	0.00	0.00	0.00	0.00	0.00	0.00
OPERATING REVENUES	1,507,307.00	115,085.38	0.00	718,071.61	0.00	789,235.39	47.64
TOTAL REVENUES	1,507,307.00	115,085.38	0.00	722,920.41	0.00	784,386.59	47.96
<u>EXPENDITURE SUMMARY</u>							
STORMWATER MANAGEMENT	1,507,307.00	79,519.72	195,131.31	886,515.42	14,228.43	801,694.46	46.81
TOTAL EXPENDITURES	1,507,307.00	79,519.72	195,131.31	886,515.42	14,228.43	801,694.46	46.81
REVENUE OVER/(UNDER) EXPENDITURES	0.00	35,565.66	195,131.31	(163,595.01)	(14,228.43)	(17,307.87)	0.00



Town of Summerville Council Meeting
Thursday, August 8, 2019 - 6:00 p.m.
Summerville Municipal Complex – 200 South Main Street

AGENDA

- 1. Invocation and Pledge of Allegiance** – *Pastor Randy Harling, Summerville Baptist Church*
- 2. Approval of Minutes of Previous Meetings**
 - a. Town Council Meeting, July 11, 2019
 - b. Special Called Council Meeting, July 16, 2019
- 3. Approval of Council Committee Reports**
 - a. Parks and Recreation Committee – Monday, August 5, 2019
 - b. Planning and Development Committee – August 5, 2019
 - c. Public Works Committee – August 5, 2019
 - d. Finance Committee – August 5, 2019
- 4. Public Comment** – *For items on the August 8, 2019 Town Council meeting agenda only*
- 5. Petitions:**
 - a. Petition by Iron Gate Homes, LLC to annex Dorchester County TMS# 136-00-00-140 (approximately 3.82 acres), Lots 1 and 2, located at 111 W. Butternut Rd., currently zoned R-4 Multi-Family Residential in Dorchester County and will be zoned R-3 Single-Family Residential Attached Buildings (Lot 2) and B-2 Neighborhood Business Center (Lot 1) upon annexation into the Town of Summerville's municipal limits. (Council District 1) (Planning Commission held a public hearing and made a motion to recommend approval at their meeting on July 15, 2019.)
- 6. Pending Bills and Resolutions**
 - a. Second and final reading of an ordinance to rezone TMS# 130-15-04-002, located at 602 W. 5th North Street, approximately 0.81 acres, and owned by Helen Morris Glenn Estate from R-1, Single-Family Residential, to B-1, Residential Business (Council District 1).
 - b. Second and final reading of a Unified Development Ordinance proposed to repeal and replace in its entirety Town Code, Chapter 32, Zoning; Chapter 22, Stormwater Management; Chapter 20, Article II, Planning Commission; and Article III, Development Standards, Section 20-71, Roads; and Chapter 6, Article III, Flood Damage Prevention.

- c. Second and final reading of an ordinance 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)
- d. Second and final reading of an ordinance to grant a quit claim deed to Hoover Summerville, LLC for an unopened portion Gum St. Extension, preserving unto the Town a perpetual easement for drainage and public utilities.

7. Introduction of Bills and Resolutions:

- a. First reading of an ordinance to amend Chapter 2, Article V (Finance), Division 2 (Purchasing), Sec. 2-322 by adding subparagraph (6).

8. Miscellaneous

- a. Discussion of Oakbrook TIF
- b. Mayor's Remarks

9. Public Comment (open)

10. Executive Session: Legal and personnel matters

- a. Legal matter related to condemnation of tracts in the North Maple Street project.
- b. Personnel matters related to appointment of Associate Municipal judge.
- c. Legal matter concerning employee discipline matter.

11. Other Business

- a. Action to be Taken by Council Related to Executive Session

12. Adjourn

ORDINANCE

AN ORDINANCE TO AMEND THE TOWN OF SUMMERVILLE'S PURCHASING ORDINANCE

BE IT ORDAINED, by the Mayor and Council members of the Town of Summerville, in Council assembled, that Chapter 2, Article V (Finance), Division 2 (Purchasing), Sec. 2-322 is amended by adding subparagraph (6) as follows:

(6) Contract Change Order – When a Change Order becomes necessary for any contract approved by Council resulting in an increase over the contract price, the following procedures shall be observed:

- a) Any subsequent change to a contract approved by Council shall be brought back before Council for review and approval or disapproval prior to the commencement of the work contemplated under the proposed change order.
- b) Any contract entered into by the Town shall contain this clause: *Contractor (or Provider) recognizes and acknowledges that, notwithstanding any provision to the contrary in this Contract, Contractor (or Provider) shall not be paid for any Change Order which does not comply with the provisions of Town Ordinance Chapter 2, Article V, Division 2, Section 2- 322 and 2-323.*