

**TOWN OF IRMO
PUBLIC HEARING AND
REGULAR COUNCIL MEETING**

JUNE 7, 2016

The Irmo Town Council held a public hearing and a regular meeting on Tuesday, June 7, 2016 in the Municipal Building. Council members present were Mayor King, Councilmen Pouliot, Waites, Walker and Councilwoman Condom. Others present were Mr. Robert Brown, Town Administrator; Chief Joe Nates; Captain Don Perry; Mr. Eric Hale, Town Attorney; Mrs. Renee Caviness, Clerk/Treasurer. Mr. Al Dozier, *The New Irmo News* was also present.

Mayor King called the meeting to order at 7:00 p.m. and Mr. Pouliot led the Pledge of Allegiance and gave the invocation.

READING OF THE MINUTES: Mrs. Condom made a motion to approve the May 17th, 2016 minutes as submitted. Mr. Waites seconded the motion. The vote to approve the minutes as submitted was unanimous.

REPORT OF STANDING:

A. Administrative Briefing - The Administrator furnished a written briefing to Council in their agenda packets.

Mr. Brown stated that the new banners have arrived and they will be hung in the next several weeks.

Mr. Walker asked Mr. Brown about the status of the new bathroom at the community park. Mr. Brown stated that the contractor is several weeks behind schedule along with some other issues regarding the roof. Mr. Hale is working on the letter to terminate the contractor.

AMENDMENTS TO THE AGENDA: None

CONSIDERATION OF COMMUNICATIONS:

A. Introduction of Dr. Michelle Fox (Stay Tune Chiropractic) (Walker):
Dr. Fox stated that since her business was new to the town; she wanted to introduce herself to Council and advise them of the services she will be offering.

- B. Mrs. Condom stated that she did not think Robert's Rules of Order is necessary for the size of the municipality and that she contacted the Municipal Association of South Carolina to get some other options. The MASC gave Mrs. Condom two examples, Rosenberg's Rules of Order (Chart) and City of Columbia's soon to be rules of order. She distributed copies to the other council members to review.

- C. Mr. Walker stated the Attorney General gave two opinion stating that elected officials could not be removed from a meeting. He also stated that a third opinion was received from the Attorney General saying an elected official could be removed by majority council if they are being disruptive. However, council needs to proceed with caution so they do not violate the first amendment rights of free speech of the disruptive council member.

PRESENTATION BY CITIZENS (AGENDA ITEMS ONLY): None

UNFINISHED BUSINESS

A. THIRD AND FINAL READING OF ORDINANCE 16-07 TO ADOPT THE OPERATING AND CAPITAL BUDGET FOR FY 16/17 (STAFF):

Mr. Waites made a motion to approve third reading of Ordinance 16-07 and Mrs. Condom seconded the motion. The vote for third and reading approval of Ordinance 16-07 to adopt the Operating and Capital Budget for FY 16/17 Budget was unanimous.

B. SECOND READING OF ORDINANCE 16-08 TO AMEND THE IRMOTOWN CODE, CHAPTER 2 ADMINISTRATION; DIVISION 2 – MEETINGS; SECTION 2-69 – APPEARANCE BY CITIZENS TO ALLOW RESIDENTS AND LICENSED BUSINESSES OF THE TOWN TO SPEAK BEFORE OTHER OUT OF TOWN RESIDENTS OR BUSINESS OWNERS (MAYOR):

Mr. Pouliot made a motion to approve second reading of Ordinance 16-08 and Mr. Waites seconded the motion.

Mr. Walker stated that he is concerned with only allowing town residents, licensed businesses to speak and only allowing out of town residents or businesses speak if no council member object. He then stated that he did not agree with the three minute limit for a citizen to address Council. Mr. Walker made a motion to remove "Each person addressing council will be allowed not more that 3 minutes to speak". Mrs. Condom second the motion. After a some discussion, the vote to remove the three minute limitation was 2 to 3 with Mayor King, Mr. Waites, and Mr. Pouliot voting in opposition. Therefore, the motion failed.

Mr. Walker then made another motion to remove “and only if no council member objects”. Mrs. Condom seconded the motion and the vote was 2 to 3 with Mayor King, Mr. Waites, and Mr. Pouliot voting in opposition. The second motion failed.

The vote to approve second reading of Ordinance 16-08 was 3 to 2 with Mr. Walker and Mrs. Condom voting in opposition.

C. SECOND READING OF ORDINANCE 16-09 TO AMEND THE IRMO TOWN CODE, CHAPTER 22 – OFFENSES AND MISCELLANEOUS PROVISIONS; ARTICLE IV – OFFENSES AGAINST THE PUBLIC PEACE; SECTION 22-101 – DISORDERLY CONDUCT (MAYOR):

Mrs. Condom made a motion to approve second reading of Ordinance 16-09 and Mr. Walker seconded the motion. Mr. Walker voiced his concerns regarding the need to amend this ordinance. Mayor King stated that this ordinance will help clarify the law and ensure compliance with the state statutes. The vote second reading of Ordinance 16-09 was unanimous.

D. SECOND READING OF ORDINANCE 16-10 TO AMEND THE IRMO TOWN CODE, CHAPTER 30 – TRAFFIC AND VEHICLES; ARTICLE III – STOPPING, STANDING AND PARKING; SECTION 30 - 75 – VISION OBSTRUCTION (MAYOR):

Mr. Waites made a motion to approve second reading of Ordinance 16-10 and Mr. Pouliot seconded the motion. After a short discussion addressing Mr. Walker’s concern, the vote to approve second reading of ordinance 16-10 was unanimous.

E. SECOND READING OF ORDINANCE 16-11 TO AMEND THE IRMO TOWN CODE, CHAPTER 30 – TRAFFIC AND VEHICLES; ARTICLE III – STOPPING, STANDING AND PARKING; SECTION 30- 73 – PARKED VEHICLE AS PUBLIC NUISANCE (MAYOR)

Mrs. Condom made a motion to approve second reading of Ordinance 16-11 and the motion was seconded by Mr. Pouliot. Mr. Walker voiced his concerns about the need to amend this code. Mrs. Condom stated that her understanding was that this ordinance cannot be enforced. Chief Nates stated there is no way for the Police Officer to look up past due parking violations and fines and that this issue is addressed in another part of the Irmo Town Code. He went on to say amending this ordinance would clarify issues they have encountered. The vote to approve second reading to remove Section 30-73 was unanimous.

F. SECOND READING OF ORDINANCE 16-12 TO AMEND THE IRMO TOWN CODE, CHAPTER 22 OFFENSES AND MISCELLANEOUS PROVISIONS; ARTICLE V – OFFENSES AGAINST PUBLIC MORALS; DIVISION 2 – DRUG PARAPHERNALIA (MAYOR)

Mr. Waites made a motion to approve second reading of Ordinance 16-12 and Mrs. Condom seconded the motion. Mr. Walker voiced his concern about removing the entire Division 2 of the current Town Code. Chief Nates stated the current Town Code exceeds the penalty as stated in the State Law. The current Ordinance says drug paraphernalia is criminal charge but state law says that it is a civil charge. Therefore, it is unenforceable in the Town's court. The vote to approve second reading of Ordinance 16-12 to remove Division 2 was 4 to 1 with Mr. Walker voting in opposition.

NEW BUSINESS

A. APPROVAL TO TRANSFER \$150,000 TO THE IRMO FIRE DEPARTMENT ONCE THEY ARE READY TO PROCEED WITH NEW FIRE STATION ON CHILDS STREET (MAYOR):

Mayor King stated the Irmo Fire Department is looking to build a new Fire Station adjacent to the Irmo Police Department. Mr. Waites made a motion to approve the transfer and Mrs. Condom seconded the motion.

Mr. Walker stated that he would like to get an update from Chief Mike Sonefield of the Irmo Fire District. Chief Sonefield stated that he is in finalizing the funds from both Richland and Lexington County. He also stated he is awaiting DOT approval for the traffic light on Childs Street. The project will take about nine months to complete. The vote to approve the transfer of \$150,000 to the Irmo Fire Department for the new fire station was unanimous.

PRESENTATION BY CITIZENS:

Mr. Milton Cooley, 29 Olde Stream Court, addressed Council concerning the garbage collection from Advanced Disposal.

DISCUSSION:

A. Overview of Community Park Expenditures (Pouliot)

Mr. Pouliot is concerned about the town reserves decreasing over the last five years. He wanted to address the Community Park Expenditures. He stated he understood that the new park was supposed to cost a little over one million dollars and that the cost was closer to two million dollars. Mr. Pouliot went on to explain that he had residents address him stating that they had no input or idea of the increased cost to build the park or cost to maintaining the park.

Mr. Walker stated that the town has had a surplus each of the past five years and these funds were used for additions to the community park. He also stated that the residents did have input on building the new park and was made aware of the increasing cost. He said that citizens are enjoying the park. The picnic shelter stays rented and the one bathroom is not adequate for the entire park. Town Council felt that a second shelter and bathroom was needed to accommodate the increased use of the park. The park is used for all kinds of events to include the Okra Strut and the Irmo Farmer's Market. Mr. Waites stated that the residents did want the park and he has only heard positive comments from the residents. It was indicated that the reserves will build back up over time.

B. Establishment / Set-up of Advisory Committee (Mayor)

The Mayor stated that the town is in the third year of receiving the Accommodations Tax Money and is nearing the threshold in which will require the Town to appoint an Accommodations Advisory Committee. This committee will make recommendations on how to spend the money and needs to be established before June 2017. Mr. Brown stated that the committee must have seven members and be made up of two individuals in hotel industry, two in the restaurant business, and one from the cultural arts. He also stated that he will be advertising for the committee and for council to ask around for candidates that meet the requirements.

EXECUTIVE SESSION: None

ADJOURNMENT: There being no further business, Mr. Waites made a motion to adjourn and Mr. Walker seconded it. The motion was approved unanimously; therefore, the meeting was adjourned at 8:52 p.m.

Hardy King, Mayor

ATTEST:

Renee Caviness, Clerk/Treasurer