

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

**JUNE 21, 2016**

The Irmo Town Council held a public hearing and a regular meeting on Tuesday, June 21, 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; Mr. Riley Clarkson, as acting Town Attorney; Mrs. Renee Caviness, Clerk/Treasurer. Mr. Kirk Luther and Al Dozier of *The New Irmo News* was also present. Mr. Eric Hale, Town Attorney was absent.

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

READING OF THE MINUTES: Mrs. Condom made a motion to approve the June 7<sup>th</sup>, 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 the town is currently working with MASC to determine the process for collecting business license fees from Airbnb individuals. These are residents that are renting out rooms in their home.

Also, Mr. Brown informed Council that the Governor passed Bill 3685 into law. This bill requires all municipalities in the state to conform with DMV's software program so that all tickets are sent to the DMV electronically by the officer. Chief Nates added that all tickets must be submitted to the DMV in three days of the ticket being issued. Mr. Pouliot asked Chief Nates if the DMV's software would help Irmo Police track parking violations. Chief Nates stated the software would not help with that issue.

AMENDMENTS TO THE AGENDA:

Mrs. Condom removed item A under Discussion.

CONSIDERATION OF COMMUNICATIONS:

A. Presentation by Dr. Bill Barton (Condom): Did not present.

B. Mrs. Kerry Powers, President and CEO of the Irmo Chamber of Commerce, wants to partner with the town to help promote events in the town to include The Irmo Okra Strut, Cherry Blossom Festival, Red, White, Blues Festival, and Barbeque Competition. Mrs. Powers stated that the Irmo Chamber wants 100% of available funds.

C. Toni Nance with the SC Department of Parks, Recreation and Tourism. She also serves on the Tourism Expenditure Review Committee. The committee reviews how the Accommodations Tax Funds are spent. The goal of the funds is for towns, cities, counties of SC to bring tourist to South Carolina.

D. Mrs. Miriam Atria, President and CEO of Lake Murray Country is requesting 100% of the available funds. Mrs. Atria stated their promotions of tourism reach farther than just around Irmo, Lexington and Richland Counties.

E. Mr. Pouliot was surprised last week that an email that came to Council was shared outside of Town Council. He stated that when an email is sent to Council as a private citizen that it should not be shared. He took a moment to let citizens know that if they send an email to Council that it becomes public information.

F. Mayor King asked if the other Council members received the Uptown Newsletter. He stated that it contains really good articles like recycling, zoning, etc...

PRESENTATION BY CITIZENS (AGENDA ITEMS ONLY):

Mr. George Glassmeyer, 100 Denbeck Road, addressed Council on item C under New Business

Ms. Marsha Jones, 412 Parlock Road, addressed Council on item C under New Business

Mr. Randy Jones, 306 Grantham Road, addressed Council on item C under New Business

## **UNFINISHED BUSINESS**

### **A. THIRD AND FINAL READING OF ORDINANCE 16-08 TO AMEND THE IRMO TOWN 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. Walker made a motion to approve third and final reading of Ordinance 16-08 and Mr. Pouliot seconded the motion. Mr. Walker stated that he did not agree with the three minute limit for a citizen to address Council. Mayor King stated that a time limit is needed so that Council can control the meeting. Mr. Walker then stated that the Town of Irmo's meeting are not like the City of Columbia where there are many people who attend the meeting.

Mr. Walker made a motion to amend Ordinance 16-08 to remove the line, "Each person addressing council will be allowed not more that 3 minutes to speak". Mrs. Condom second the motion. Mrs. Condom said that we should not limit citizens. Mr. Waites agreed with Mr. Walker in that citizens should be allowed to speak without a time limit as long as points are being made but that the chairman should be able to end a presentation once they feel the citizen's point is made. Mr. Pouliot stated that the residents should get all the time they need to address Council but that there should be a time limit on non-residents. Mayor King stated that other cities and counties put a time limit on citizen's presentation. He also stated that technically a citizen's presentation cannot be cut short because Irmo does not have a time limit. There is a legal opinion to have something in the ordinance to put a time limit on a citizen's presentation.

Mr. Pouliot made a motion to amend the amendment to Ordinance 16-08 to add "Each person addressing council will be allowed not more that 10 minutes to speak". Mrs. Condom seconded the motion. The vote to amend the amendment passed 4 to 1 with Mr. Walker voting in opposition.

Mr. Walker then made another motion to remove "and only if no council member objects". The motion was not seconded. Therefore, the motion failed.

Mr. Walker asked for a roll call vote to approve third and final reading as amended of Ordinance 16-08. Mrs. Condom voted yes, Mr. Pouliot voted yes, Mr. Waites voted yes, Mr. Walker voted no and Mayor King voted yes. Ordinance 16-08 passed 4 to 1

### **B. THIRD AND FINAL 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):**

Mr. Waites made a motion to approve third and final reading of Ordinance 16-09 and Mrs. Condom seconded the motion. The vote for third and final reading of Ordinance 16-09 was unanimous.

**C. THIRD AND FINAL 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):**

Mrs. Condom made a motion to approve third and final reading of Ordinance 16-10 and Mr. Pouliot seconded the motion. The vote to approve third and final reading of ordinance 16-10 was unanimous.

**D. THIRD AND FINAL 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)**

Mr. Pouliot made a motion to approve third and final reading of Ordinance 16-11 and the motion was seconded by Mr. Waites. The vote to approve third and final reading to Ordinance 16-11 to remove Section 30-73 was unanimous.

**E. THIRD AND FINAL 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):**

Mrs. Condom made a motion to approve third and final reading of Ordinance 16-12 and Mr. Waites seconded the motion. Mr. Walker voiced his is concern about removing the entire Division 2 of the current Town Code. He made a motion to keep Division 2 Drug Paraphernalia. 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 third and final reading of Ordinance 16-12 to remove Division 2 was 4 to 1 with Mr. Walker voting in opposition.

**NEW BUSINESS**

**A. FIRST READING OF ORDINANCE 16-13 TO AMEND THE IRMO TOWN CODE, CHAPTER 14; ENVIRONMENT; ARTICLE II – NUISANCES; SECTION 14-35 – RIGHT OF ENTRY TO ABATE (MAYOR):**

Mr. Pouliot made a motion to approve first reading of Ordinance 16-13 and Mr. Waites seconded the motion. After a short discussion, the no expectation of privacy if visual from street. The vote for approval was unanimous.

B. APPROVAL OF MEMORANDUM OF AGREEMENT FOR DETENTION SERVICES WITH THE DEPARTMENT OF JUVENILE JUSTICE (DJJ) FOR FY16/17 (STAFF):

Mrs. Condom made a motion for approval of Memorandum of Agreement with the Department of Juvenile Justice for FY 16/17. Mr. Waites seconded the motion and the vote for approval was unanimous.

C. APPROVAL TO FORWARD ACCOMMODATION TAX COLLECTIONS IN THE AMOUNT OF \$9,852.89 TO LAKE MURRAY COUNTRY AND/OR THE IRMO CHAMBER OF COMMERCE (STAFF):

Mayor King explained that 30% of the money collected in this account has to be given to an approved organization that does marketing and promotions for tourism in South Carolina. Mrs. Condom made a motion to approve giving \$9,852.89 from the accommodations tax account to Lake Murray Country and/or The Irmo Chamber of Commerce. Mr. Walker seconded the motion.

Mrs. Condom stated that she would like to give 70% of the funds to Irmo Chamber of Commerce and 30% to Lake Murray Country. Mr. Walker said he wants to give 65% of the funds to Lake Murray Country & 35% to the Irmo Chamber of Commerce. Mr. Waites agreed that a majority of the funds should be given to the Irmo Chamber of Commerce and some to Lake Murray Country.

Mayor King stated that \$6,000 should be given to The Irmo Chamber of Commerce since Lake Murray Country has previously received \$6,000 from the town. Then, he stated the remaining balance should be split 50/50 between the Irmo Chamber and Lake Murray Country which would give the Irmo Chamber and an additional \$1,926.45 and \$1,926.44 to Lake Murray Country. The vote to give the Irmo Chamber of Commerce \$ 7,926.45 and give \$1,926.44 to Lake Murray Country was unanimous.

PRESENTATION BY CITIZENS: None

DISCUSSION:

A. Review of Robert's Rules and alternative Rules of Order (Condom): Removed

B. Beautification Projects / establishing a "Beautification Committee" (Mayor):

Mayor King stated \$15,000 is budgeted for projects. He wanted to put out feelers for re-establishing the Beautification Committee. The committee would provide Council with recommendations on spending the \$15,000 annually.

EXECUTIVE SESSION: None

ADJOURNMENT: There being no further business, Mr. Pouliot made a motion to adjourn and Mr. Waites seconded it. The motion was approved unanimously; therefore, the meeting was adjourned at 9:15 p.m.

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Hardy King, Mayor

ATTEST:

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Renee Caviness, Clerk/Treasurer