

# **TOWN OF IRMO REGULAR COUNCIL MEETING**

**JULY 19, 2016**

The Irmo Town Council held a regular meeting on Tuesday, July 19, 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. Eric Hale, Town Attorney; Mrs. Renee Caviness, Clerk/Treasurer. Mr. Al Dozier of *The New Irmo News* was also present.

Mayor King called the meeting to order at 7:00 p.m. Mr. Walker introduced Michael Hues, Fifth Grader at Irmo Elementary School, who led the Pledge of Allegiance and gave the Invocation.

READING OF THE MINUTES: Mrs. Condom made a motion to approve the June 21, 2016 minutes as submitted. Mr. Waites seconded the motion. Mr. Pouliot stated that he found three clerical errors that needed to be corrected on the minutes. There was one error on page two and two errors on page four. The vote to approve the minutes as amended was unanimous.

REPORT OF STANDING:

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

Mr. Brown stated that Katie Fox would like to serve as a volunteer on the Advisory Committee and could fill the Cultural Arts requirement as required by state statute. He also said that would leave one open hospitality slot, and that Council could proceed with appointment to get the committee started. Mr. Walker told the audience that if they or anyone they know wants to serve on the committee to let Council know. Mayor King stated that he would like for the appointments to be on the next agenda.

AMENDMENTS TO THE AGENDA: None

CONSIDERATION OF COMMUNICATIONS:

A. Mrs. Condom stated that while the Council members were in Charleston for the Annual Municipal Association meeting; it was reported that two kids were kidnapped. She wanted to let Council know that both kids are safe and with their families.

B. Mr. Walker stated that due to recent events around the United States, he would like for the Irmo Police Department to have an event to open lines of communication between Citizens and Police Officers. He mentioned having a cookout and Chief Nates stated that National Night Out, which is August 2<sup>nd</sup>, would be a good time to cook some hotdogs. Mrs. Condom stated that they could make the August 2<sup>nd</sup> meeting short and then Council could help with the event. Mayor King added that Council could cancel the August 2<sup>nd</sup> meeting.

**PRESENTATION BY CITIZENS (AGENDA ITEMS ONLY):**

Mr. Bob Washington, College Street, addressed Council on item C under New Business

**UNFINISHED BUSINESS**

**A. SECOND 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):**

Mrs. Condom made a motion to approve second reading of Ordinance 16-13 and Mr. Pouliot seconded the motion. The vote for approval was unanimous.

**NEW BUSINESS**

**A. APPROVAL OF RESOLUTION 16-03 RATIFYING FY15/16 BUDGET AMENDMENTS (STAFF):**

Mrs. Condom made a motion for approval of Resolution 16-03 ratifying the FY15/16 budget amendments. Mr. Waites seconded the motion and the vote for approval was unanimous.

**B. FIRST READING OF ORDINANCE 16-14 TO AMEND THE IRMO TOWN CODE, CHAPTER 10; BUSINESSES; ARTICLE II – LICENSES; SECTION 10-30 – IMPLEMENTATION OF THE SOUTH CAROLINA FAIRNESS IN LODGING ACT (STAFF):**

Mr. Pouliot made a motion for approval of first reading of Ordinance 16-14 and Mrs. Condom seconded the motion. The Mayor stated that Council must pass the ordinance allowing the SC Department of Revenue to collect and send a portion of the funds to Irmo. He also stated

Council may want to pursue getting a business license from individuals who rent out rooms through Airbnb. The vote for approval was unanimous.

C. FIRST READING OF ORDINANCE 16-15 TO REZONE RICHLAND COUNTY TMS# 03915, BLOCK 01, LOT 13; 03911, BLOCK 03, LOT(S) 18, 19, 20 AND 96 (LOCATED ON COLLEGE STREET) FROM OFFICE COMMERCIAL (CO) TO GENERAL COMMERCIAL (CG) (STAFF):

Mrs. Condom made a motion to approve first reading of Ordinance 16-15 to rezone Richland County TMS# 03915, Block 01, Lot 13; 03911, Block 03, Lot(s) 18, 19, 20 and 96 (located on College Street) from Office Commercial (CO) to General Commercial (CG). Mr. Waites seconded the motion. Mr. Walker stated that he received several emails from neighbors stating that they do not want the properties rezoned to General Commercial (CG). He also stated his concerns regarding the type of businesses like a gas station or tattoo parlor which could potentially be permitted in the General Commercial (CG) zoning with the abutting residential neighborhood. He suggested the properties in question be zoned Neighborhood Commercial (CN) instead of General Commercial (CG). Mayor King stated that the Planning Commission met regarding the zoning and voted 3 to 3 in a tie. After some more discussion, it was decided that Council wanted the public hearing and second reading be on the August 16<sup>th</sup> Agenda so they can hear from residents. The vote for approval was unanimous.

D. FIRST READING OF ORDINANCE 16-16 TO AMEND THE IRMO TOWN CODE, CHAPTER 22; OFFENSES AND MISCELLANEOUS PROVISIONS; ARTICLE IV – OFFENSES AGAINST THE PUBLIC PEACE; SECTION 22-103 – CONCEALED WEAPONS (WALKER):

Mr. Walker made a motion for approval of first reading of Ordinance 16-16 and Mr. Pouliot seconded the motion. The Town Attorney, Mr. Eric Hale, explained the State Law regarding concealed weapons and how it could affect his prosecution of certain cases for the town. Mr. Pouliot then asked Chief Nates if he thought this ordinance would be beneficial. Chief Nates stated that the State Law does not cover bb guns, replica guns or pellet guns because they do not meet the definition of handguns. The police officers use this ordinance to charge individuals with those types of concealed weapons. If this ordinance is passed, then the police officers would not be able to charge individuals with a municipal violation. He also agreed with Mr. Hale that this would take away the ability to plea bargain on certain misdemeanors.

Mr. Walker made a motion to amend the motion to keep the word “pistol” but add “except where SC Code Section 23-31-210 is applied.” The motion was not seconded and failed.

Mr. Walker stated he wants to clean up this ordinance and make the law clear to everyone. The vote was 1 to 4 with Mr. Pouliot, Mrs. Condom, Mayor King, and Mr. Waites voting in opposition. Mr. Walker asked Mr. Hale to write a new ordinance with the proper language and to include it on the next agenda.

E. APPROVAL TO AWARD THE GREATER IRMO CHAMBER OF COMMERCE \$10,000 (STAFF):

Mrs. Condom made a motion to award \$10,000 to the Greater Irmo Chamber of Commerce. Mr. Pouliot seconded the motion. Mrs. Kerry Powers, President and CEO of the Irmo Chamber of Commerce presented information on what the Chamber has done with the funds they have received from the town. She also indicated that these funds are essential to their operating budget. After a brief discussion between Council Members, the vote to award \$10,000 to the Irmo Chamber was unanimous.

F. APPROVAL OF BUDGET AMENDMENT IN THE AMOUNT OF \$6,300 TO HVAC REPAIRS FOR EMERGENCY REPLACEMENT OF 5-TON UNIT AT THE MUNICIPAL BUILDING (STAFF):

Mr. Pouliot made a motion to approve a budget amendment in the amount of \$6,300 for HVAC Repairs for an emergency replacement of a 5-ton heating and air unit in the Municipal Building. Mr. Waites seconded the motion and the vote for approval was unanimous

G. APPROVAL TO AWARD CONTRACT TO UNIFIED AV SYSTEMS IN THE AMOUNT OF \$34,009.29 TO INSTALL A VIDEO UPGRADE OF THE MUNICIPAL BUILDING (STAFF):

Mayor King made a motion to approve a contract with Unified AV Systems in the amount of \$34,009.29. Mr. Walker seconded the motion. Mr. Pouliot asked if the new system could be used in court. Mr. Hale indicated that it could.

Mr. Walker voiced his concerns about the cost of the video upgrade from Unified AV Systems with no details as to what the town is getting for \$34,009.29. He indicated that he contacted Sid Gattis with Gattis Pro Audio before the Council meeting to ask some questions and get a detailed list of the equipment and its costs. He also stated that Mr. Gattis would give the town credit for the current equipment because he was the one who installed it.

The Mayor stated his concerns about a member of Council contacting one of the bidding companies. Mr. Pouliot made a motion to defer the vote until the next Council meeting. Mr. Waites seconded the motion. Mr. Walker asked that a representative from Unified AV Systems be at the next meeting to answer questions. The vote to defer was unanimous.

H. APPROVAL OF MULTI-JURISDICTIONAL TASK FORCE MUTUAL AID AGREEMENT TO COMBAT CRIMINAL NARCOTICS THROUGHOUT LEXINGTON COUNTY FOR FY16/17 (STAFF):

Mrs. Condom made a motion for approval of Multi-Jurisdictional Task Force Mutual Aid Agreement to Combat Criminal Narcotics throughout Lexington County for FY 16/17. Mr. Waites seconded the motion and the vote for approval was unanimous.

PRESENTATION BY CITIZENS:

Mr. George Glassmeyer, 100 Denbeck Road, addressed Council on items C, G and under New Business, and item A under Discussion

DISCUSSION:

A. The pros / cons and policies regarding fireworks in the Town (Waites):

Mr. Waites stated that fireworks can be dangerous. He wants to either amend the ordinance or do not allow fireworks in the town limits of Irmo. Mayor King stated that it does not make sense for individuals to be able to buy fireworks in the town but not be allowed to shoot the fireworks in the town. Mr. Pouliot stated that fireworks have been part of America since 1777 and that Mr. John Adams wrote to his wife telling her that throughout the time of this country fireworks will be part of the celebration. He also stated that his anniversary is on the 4<sup>th</sup> and he wants to see fireworks.

EXECUTIVE SESSION: None

ADJOURNMENT: There being no further business, Mr. Waites made a motion to adjourn and Mrs. Condom 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