

TOWN OF IRMO REGULAR COUNCIL MEETING

August 7, 2018

The Irmo Town Council held a regular meeting on Tuesday, August 7, 2018 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 Don Perry; Mr. Eric Hale, Town Attorney; and Mrs. Renee Caviness, Clerk/Treasurer. Mr. Al Dozier, *The New Irmo News*, was also present.

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

READING OF THE MINUTES:

Mr. Pouliot made a motion to approve the July 17, 2018 minutes and Mr. Waites seconded the motion. The vote for approval as submitted was unanimous.

REPORT OF STANDING:

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

B. Code Enforcement Update – **(OUT OF ORDER)** Mrs. Condom made a motion to suspend the Robert's Rules of Order and take the Code Enforcement Update out of order until Chief Perry arrived.

AMENDMENTS TO THE AGENDA: None

CONSIDERATION OF COMMUNICATIONS:

A. Mr. Larry Slaughter, Okra Strut Chairman, recognized the 2018 Okra Strut Scholarship recipients, Matthew Hawkins of Dutch Fork High School, and Mychal Cumbo of Irmo High School.

B. Mr. Waites stated that he was contacted by Mr. George Glassmeyer because he wants to do a presentation. Mr. Waites called on Mr. Glassmeyer to present his proposal on reducing the Town's expenses instead of increasing fees.

PRESENTATION BY CITIZENS (AGENDA ITEMS ONLY): None

OUT OF ORDER:

Code Enforcement Update – Chief Perry gave a status report regarding front yard parking.

UNFINISHED BUSINESS

A. THIRD AND FINAL READING OF ORDINANCE 18-18 FOR THE SALE AND TRANSFER OF REAL PROPERTY OWNED BY THE TOWN, LOCATED AT 7418 WOODROW STREET, IRMO, SC IN THE AMOUNT OF \$46,000.00 TO THE OWNERS OF THE IRMO LOCK COMPANY (STAFF):

Mrs. Condom made a motion to approve and Mr. Waites seconded it. The vote to approve was 3 to 2 with Mr. Walker and Mr. Pouliot voting in opposition.

B. THIRD AND FINAL OF ORDINANCE 18-19 TO INCREASE THE FRANCHISE PAYMENTS FROM 3% TO 4% FROM ALL ENTITIES THAT COLLECT FRANCHISE FEES ON BEHALF OF THE TOWN (CONDOM):

Mrs. Condom made a motion to approve and Mr. Waites seconded it. Mrs. Condom explained the two documents she gave Council. She stated this 1% increase in the Franchise Fee would offset the cost of increasing expenses.

Mr. Walker made a motion to change Ordinance 18-19 to:

“Section I: As payment for the right to provide electric and gas services, and any other services as may be permitted under this Franchise Ordinance, including those rights conferred by Ordinance 99-06 and 06-10 in the succeeding calendar year, the Company shall pre-pay into the Treasury of the Town, on the first business day of July each year, beginning with the year 2019, a franchise fee equal to four (4%) percent from gross sales revenue accruing to the Company during the preceding calendar year from all residential and commercial sales of electricity, natural gas, cable service and all wheeling or transportation service to such customers within the corporate limits of the Town, not including sales made under legally authorized special sales programs which allow the Company to reduce prices to meet customers’ competitive energy prices. To change the percentage of the revenue on which the franchise fee is calculated, the Town must both (1) amend this Franchise Ordinance by means of an Amendatory Ordinance solely addressed to that purpose, and (2) provide the Company written notice including an attested copy of the Amendatory Ordinance at least ninety (90) days prior to the next franchise fee payment due date. So long as both conditions are met, the increase will apply to the next franchise fee payment due from the Company and the recovery of the higher fee will begin during the calendar year for which the franchise fee applies. During the term of this Franchise Ordinance, the percentage of the revenue on which the franchise fee is based shall not exceed the highest percentage paid by the Company to any other town or city under a franchise agreement. Any other revenue accruing to the Company in the municipality may be subject to other fees and/or business license taxes as appropriate.”

Section II: In all other aspects, the current ordinance shall remain unchanged and in full force and effect.

Section III: (Severability) If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

Section IV: (Conflicting Ordinances Repealed) All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.”

Mrs. Condom seconded it and the vote to approve the amended ordinance 18-19 was unanimous.

Mayor King made a motion to amend the ordinance to change the Franchise Fee from 4% to 3.5% and Mr. Pouliot seconded it. Both Mayor King and Mr. Pouliot stated that Council should only raise the franchise fee to what is needed. Mr. Walker stated that 1% is a conservative increase. Mr. Waites stated that health and retirement insurance will continue to increase, and he would rather pay the 1% franchise fee instead of implementing a property tax. The vote failed 2 to 3 with Mr. Waites, Mr. Walker and Mrs. Condom voting in opposition.

The vote for approval of Ordinance 18-19 was 3 to 2 with Mayor King and Mr. Pouliot voting in opposition.

C. THIRD AND FINAL READING OF ORDINANCE 18-20 TO ESTABLISH A STORMWATER MANAGEMENT UTILITY FEE OF \$8.00 ANNUALLY PER SINGLE-FAMILY RESIDENCE FOR COMPLIANCE WITH FEDERAL AND STATE SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MAYOR):

Mr. Pouliot made a motion to approve and Mr. Waites seconded it. The vote to approve was 3 to 2 with Mr. Walker and Mrs. Condom voting in opposition

D. THIRD AND FINAL READING OF ORDINANCE 18-21 TO ESTABLISH A UNIFORM SERVICE FEE OF \$3.50 ANNUALLY PER SINGLE-FAMILY RESIDENCE TO MANAGE THE TOWN'S SOLID WASTE PROGRAM IN ACCORDANCE WITH CHAPTER 26 OF THE TOWN CODE (MAYOR):

Mr. Pouliot made a motion to approve and Mr. Waites seconded it. The vote to approve was 3 to 2 with Mr. Walker and Mrs. Condom voting in opposition.

NEW BUSINESS

A. APPOINTMENT TO THE ZONING BOARD OF ADJUSTMENT (ZBA) (STAFF):

Mr. Walker made a motion to nominate Mrs. Brandi Clarkson and Mrs. Condom seconded it.

Mr. Waites made a motion to amend to add Mr. Brent White and Mr. Pouliot seconded it.

Mr. Walker made a motion to amend to add Mr. Gerald Pierce and Mrs. Condom seconded it

Mayor King made a motion to amend to add Mr. Erik Sickinger and Mr. Walker seconded it.

The vote to appoint Mrs. Clarkson failed 2 to 3 with Mr. Waites, Mayor King and Mr. Pouliot voting in opposition.

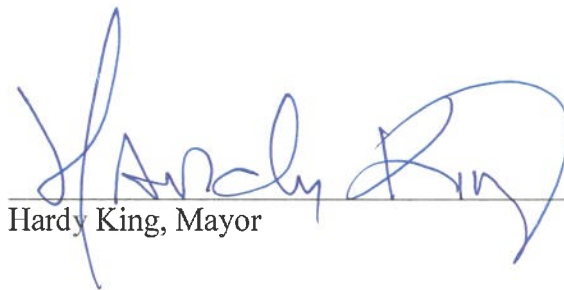
The vote to appoint Mr. White was 3 to 2 with Mr. Walker and Mrs. Condom voting in opposition.

PRESENTATION BY CITIZENS: None

DISCUSSION: None

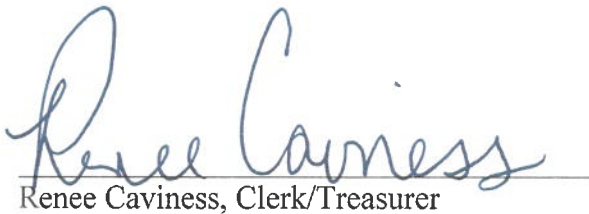
EXECUTIVE SESSION: None

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 8:18 p.m.



Hardy King, Mayor

ATTEST:



Renee Caviness, Clerk/Treasurer