

**TOWN OF IRMO  
REGULAR COUNCIL MEETING**

**AUGUST 16, 2016**

The Irmo Town Council held a public hearing and a regular meeting on Tuesday, August 16, 2016 in the Municipal Building. Council members present were Mayor King, Councilmen Waites, Walker and Councilwoman Condom. Councilman Pouliot was absent. 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.

**PUBLIC HEARING**

**TO RECEIVE COMMENTS ON THE PROPOSED 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)**

Mayor King called the public hearing to order at 7:01 p.m. The following addressed Council regarding the rezoning:

Mr. George Glassmeyer, 100 Denbeck Road – Opposed  
Ms. Rhonda McJack, 50 Saint Albans Road - Opposed  
Mr. Rob Rockwell, 46 Saint Albans Road – Opposed  
Ms. Darlene Lindler, 7547 Eastview Drive – Opposed  
Mr. Glenn Davis, Eastview Drive - Favored  
Ms. Cornella Bell, 7543 Eastview Drive - Opposed  
Ms. Melissa Lindler, 7547 Eastview Drive - Opposed  
Ms. Adrian Heftney, 1 Sanford Ridge Court – Opposed  
Mr. & Mrs. Tim Barton, 47 Saint Albans Road – Opposed  
Mr. Robert “Bob” Washington, 7449 College Street - Favored

The public hearing was closed at 7:25 and Mayor King called the regular meeting to order. Mrs. Condom led the Pledge of Allegiance and Invocation.

**READING OF THE MINUTES:**

Mrs. Condom made a motion to approve the July 19, 2016 minutes and Mr. Walker seconded the motion. The vote to approve the minutes as submitted was unanimous.

Mrs. Condom made a motion to approve the July 25, 2016 minutes and 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 Ridgemont Subdivision upgrades and improvements have been completed and accepted by Lexington County as of August 15, 2016.

He also stated that the Irmo Farmer's Market has been cancelled for this upcoming Saturday. The market may be permanently canceled due to decrease of vendor participation unless Council wants to give money to the market for advertising.

Mr. Walker asked Mr. Brown about the contractor for the new bathroom in the Community Park. Mr. Brown stated that there have been issues with the contractor and they were being terminated.

AMENDMENTS TO THE AGENDA: None

CONSIDERATION OF COMMUNICATIONS: None

PRESENTATION BY CITIZENS (AGENDA ITEMS ONLY):

Ms. Rhonda McJack, 50 Saint Albans Road, addressed Council on item G under New Business

Mr. George Glassmeyer, 100 Denbeck Road, addressed Council on items A, E, K, and L under New Business

Mr. Glenn Davis, Eastview Drive, addressed Council on item K under New Business

Ms. Darlene Lindler, 7547 Eastview Drive, addressed Council on item C under Unfinished Business

**UNFINISHED BUSINESS**

**A. THIRD AND FINAL 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 third reading of Ordinance 16-13 and Mr. Waites seconded the motion. The vote for approval was unanimous.

**B. SECOND 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. Waites made a motion for approval of second reading of Ordinance 16-14 and Mrs. Condom seconded the motion. Mr. Walker stated this Ordinance will be hard to enforce. The Mayor stated that Council must pass this ordinance to allow the SC Department of Revenue to collect the funds on behalf of the Town. He also stated these landlords would be required to have a business license. The vote for approval was unanimous.

**C. SECOND 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):**

Mr. Walker made a motion to approve second reading of Ordinance 16-15. Mayor King 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 that could potentially impact the residents if the property is rezoned General Commercial. He suggested the properties in question be zoned Neighborhood Commercial (CN) due to the abutting residential neighborhoods. Mayor King stated that the properties in question already abut General Commercial. Mr. Walker asked the Washington Family if they would be satisfied with Neighborhood Commercial. Mrs. Washington said no and they want General Commercial.

After some discussion, Mrs. Condom made a motion to defer second reading until Tuesday, September 6, 2016 when Mr. Pouliot could be present and Mr. Waites seconded the motion. The vote to defer was unanimous.

**NEW BUSINESS**

**A. FIRST READING OF ORDINANCE 16-17 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 16-17. The motion did not get seconded. Therefore, the motion failed.

B. FIRST READING OF ORDINANCE 16-18 TO AMEND THE IRMO TOWN CODE, CHAPTER 2 – ADMINISTRATION; ARTICLE IV – BOARDS, COMMISSION AND COMMITTEES; DIVISION 3 – PLANNING COMMISSION; SECTION 2-292 – MEMBERSHIP (CONDOM):

Mrs. Condom made a motion to table first reading of Ordinance 16-18 and Mr. Waites seconded the motion. Mr. Walker asked why Mrs. Condom wanted to table the first reading. Mrs. Condom stated that she is waiting to get some clarification on the matter because the ordinance could be against the Constitution and State Code. The vote to table first reading of Ordinance 16-18 was unanimous.

C. FIRST READING OF ORDINANCE 16-19 TO AMEND THE IRMO TOWN CODE, CHAPTER 2 – ADMINISTRATION; ARTICLE IV – BOARDS, COMMISSION AND COMMITTEES; DIVISION 4 – ACCOMMODATIONS TAX ADVISORY COMMITTEE (STAFF):

Mr. Waites made a motion to approve first reading of Ordinance 16-19 and Mrs. Condom seconded the motion. Mayor King stated that the committee meets once a year to hear the proposals from applicants. The committee then will make a recommendation to Council for spending the available accommodations funds. He also stated that this ordinance establishes an Accommodations Tax Advisory Committee. The vote for approval was unanimous.

D. FIRST READING OF ORDINANCE 16-20 TO AMEND THE IRMO TOWN CODE, CHAPTER 2 - ADMINISTRATION; ARTICLE II – COUNCIL; DIVISION 2 – MEETINGS; SECTION 2-64 – RULES OF ORDER AND ORDER OF PROCEEDINGS (STAFF):

Mrs. Condom made a motion to approve first reading of Ordinance 16-20 and Mr. Waites seconded the motion. Mayor King stated that currently Council cannot go into executive session and then come out and vote on the item. Therefore, this ordinance would allow a vote after executive session. Mr. Walker stated his concerns as to the need of this ordinance. Mayor King stated that on occasion there could be a need to take a vote after executive session. The vote for approval was 3 to 1 with Mr. Walker voting in opposition.

E. APPROVAL OF BUDGET AMENDMENT IN THE AMOUNT OF \$7,500 FOR POLICE DEPARTMENT OVERTIME TO INCREASE SECURITY FOR TOWN MEETINGS IN THE MUNICIPAL BUILDING (MAYOR):

Mayor King made a motion to approve a budget amendment in the amount of \$7,500 for increased security at town meetings. Mr. Brown stated that the court uses the metal detector at all court proceedings. Mayor King stated that \$7,500 will cover the Police Department overtime to run the metal detector for all town meetings. Mrs. Condom asked if increased security was necessary. Mr. Walker asked Chief Nates if he could run the metal detector at Council meetings. Mayor King explained that the metal detector would need to be used during the entire meeting unless the doors were locked at the beginning at the meeting.

Mr. Walker made a motion to defer the vote until September 6, 2016. Mr. Waites seconded the motion and the vote for to defer was 3 to 1 with Mrs. Condom voting in opposition.

F. APPROVAL TO TRANSFER \$15,400 TO THE OKRA STRUT ACCOUNT (COMMISSION):

Mrs. Condom made a motion to approve the transfer of \$15,400 to the Okra Strut account. Mayor King stated that Council put \$20,000 in revenue in the budget from Richland County. However, the County only gave \$5,600. Therefore, the Okra Strut budget is short. He also stated that there is money in the Okra Strut savings account that could be used for the shortfall. Mayor King recommended transferring \$9,750 from the accommodation tax account to cover the police security cost.

After a brief discussion of the different options, Mrs. Condom made a motion to transfer \$9,750 from accommodations tax and \$ 5,650 from the Okra Strut savings account into their operating account. Mayor King seconded the motion and the vote to transfer the funds was unanimous

G. APPOINTMENT TO THE OKRA STRUT COMMISSION (STAFF):

Mrs. Condom made a motion to appoint Mr. John Lindower to the Okra Strut Commission and Mr. Waites seconded the motion. The vote for approval was unanimous.

H. APPOINTMENT TO THE PLANNING COMMISSION (STAFF):

Mayor King made a motion to appoint Mr. Mike Lizewski. Mrs. Condom stated her concerns about Mr. Lizewski being appointed due to his job as a Zoning Inspector at the City of Columbia. She felt that there may be a conflict of interest. After Mr. Lizewski spoke to Council, Mrs. Condom stated that she would approve his appointment to the Planning Commission. Therefore, the vote for approval was unanimous.

I. APPOINTMENTS TO THE ADVISORY COMMITTEE (MAYOR):

Mayor King stated that Mr. Andy Briggs (Lodging), Ms. Susan Crosby (Hospitality), Ms. Jeanette Lowicz (Lodging), Ms. Katie Fox (Cultural Arts), Ms. Wendy Haynes (At-Large), and Mr. Clint Scofield (At-Large) would like to be appointed to the Advisory Committee. He also stated that this would leave one position left to fill. The vote for approval was unanimous.

J. APPROVAL OF MULTI-JURISDICTIONAL MUTUAL AID AGREEMENT FOR DSS AND LAW ENFORCEMENT PROTOCOL THROUGHOUT LEXINGTON COUNTY FOR FY 16/17 (STAFF):

Mr. Walker made a motion for approval of Multi-Jurisdictional Mutual Aid DSS and Law Enforcement Protocol throughout Lexington County for FY 16/17. Mrs. Condom seconded the motion and the vote for approval was unanimous.

K. APPROVAL TO BID-OUT THE CONSTRUCTION OF A CINDER BLOCK WALL ADJACENT TO THE MUNICIPAL BUILDING, TOWN HALL AND PUBLIC WORKS AREA (MAYOR):

Mayor King made a motion to bid-out the construction of a cinder block wall and Mr. Walker seconded the motion. Mr. Waites stated his concerns of building a cinder block wall and suggested that Council get bids on installing a chain link fence as well. After much discussion, the staff was directed to get some quotes and then the item could be discussed at a later date.

L. APPROVAL TO REBID GARBAGE CONTRACT AND TO ALLOW ADVANCED DISPOSAL TO SWITCH THE SERVICE BACK TO MULTIPLE DAYS (MAYOR):

Mayor King made a motion to rebid the garbage contract. He stated that he wanted to change to a multi-day schedule and thinks the town should rebid the garbage contract. Mr. Hardee Horne of Advanced Disposal stated that the general manager's wife has cancer and he has been taking care of her. Therefore a new general manager was brought in. There were issues with heat exhaustion and trucks breaking down. Trucks from Charlotte & Augusta were brought in to help solve these issues. Mr. Walker recommended giving them until September 6th to fix these problems and if there are no improvements, then Council would consider rebidding the garbage contract on the next Council meeting. The vote to approve rebidding the garbage contract failed due to the unanimous vote in opposition.

PRESENTATION BY CITIZENS:

Mr. George Glassmeyer, 100 Denbeck Road, addressed Council on the public hearing, item C under Unfinished Business and deferring items due to an absent member of Council.

DISCUSSION:

A. None

EXECUTIVE SESSION:

A. Contractual (Tourism Project) (Mayor):

Mr. Waites made a motion to enter into executive session to discuss a contractual matter concerning a tourism project. Mayor King seconded the motion and it passed unanimously; therefore, the Mayor, Council, Mr. Brown and Mr. Hale entered into executive session at 10:38 p.m. Following Executive Session, Mayor King called the meeting back to order at 10:45 p.m. and stated no action was taken.

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 10:46 p.m.

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Hardy King, Mayor

ATTEST:

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Renee Caviness, Clerk/Treasurer