

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

August 20, 2019

The Irmo Town Council held a public hearing and regular meeting on Tuesday, August 20, 2019 in the Municipal Building. Council members present were Mayor King, Councilmen Pouliot, Walker, Waites, and Councilwoman Condom. Others present were Mr. Robert Brown, Town Administrator; Chief Don Perry; Mrs. Renee Caviness, Clerk/Treasurer and Mr. Chip Burns, Town Attorney.

PUBLIC HEARING

Mayor King called the public hearing to order at 7:00 p.m. No one spoke, and therefore the public hearing was closed at 7:01 p.m.

REGULAR MEETING

Mayor King called the regular meeting to order at 7:01 p.m. Mr. Waites led the Pledge of Allegiance and gave the Invocation.

READING OF THE MINUTES:

Mr. Pouliot made a motion to approve the July 16, 2019 minutes and Mrs. Condom seconded the motion. Mayor King requested that the name, "Ms. Barbara Walters" be changed to "Ms. Barbara Waldman" on page 2 under Presentation by Citizens (Agenda Items Only). The vote to approve the minutes as amended was unanimous.

Mr. Pouliot made a motion to approve the July 25, 2019 minutes and Mr. Walker seconded the motion. The vote to approve the minutes as submitted was unanimous.

REPORT OF STANDING:

A. Administrative Briefing – Mr. Brown furnished a written briefing to Town Council in their packets.

AMENDMENTS TO THE AGENDA:

A. Mr. Walker made a motion to suspend Robert's Rules to take item "J" under New Business and move it after item "A" under Unfinished Business. Mrs. Condom seconded it. Mr. Walker explained that he would like Council to discuss a traffic study before voting on third and final reading of Ordinance 19-13. Mrs. Condom does not believe a traffic study is needed due to there being four ways to enter and exit the property. Mr. Waites agrees with Mrs. Condom and asked who would pay for the costly traffic study. He also mentioned that the developer is going to reduce five businesses to only two. The vote failed 2 to 3 with Mr. Waites, Mayor King and Mr. Pouliot voting in opposition.

CONSIDERATION OF COMMUNICATIONS:

A. Mr. Brian Pena of The Karate Dojo spoke about the Legends of Carolina Martial Arts event honoring Mr. Al Karst and presented Council a framed photograph of all the past Irmo Police Chiefs. He stated that he is looking for a Volkswagen Rabbit to restore, and possibly donate to the Town.

B. Mayor King called on Ms. Sharon Ayling with the League of Women Voters to give a presentation on Vote411.org. She stated that the website is a nonpartisan voter guide that provides information to citizens on all things related to elections.

C. Mr. Walker stated that he would create an Ordinance that would allow teenagers to cut grass without needing a business license and requested that Mr. Brown put it on the agenda for the Tuesday, September 17th Council meeting.

D. Mr. Walker took a moment to thank the Irmo Police Department for their professionalism and quick response to a neighbor's concern in his neighborhood.

E. Mr. Pouliot stated that he had received a letter from a resident thanking several Town of Irmo employees for their help when he had a bicycle crash.

PRESENTATION BY CITIZENS (AGENDA ITEMS ONLY):

Mr. Mike Ward, 118 Ashbourne Road, addressed Council on item "D, E, F" under New Business

Mrs. Jacqueline Buck of Keep the Midlands Beautiful, addressed Council on item "I" under New Business

Mr. Erik Sickinger, 417 Cressfell Road, addressed Council on item "D, E, F, I, L & N" under New Business

UNFINISHED BUSINESS

A. FIRST READING OF ORDINANCE 19-12 TO AMEND THE IRMO TOWN CODE, CHAPTER 22 OFFENSES AND MISCELLANEOUS PROVISIONS; ARTICLE IV, OFFENSES AGAINST THE PUBLIC PEACE; SECTION 22-105 – USE OF FIREWORKS (STAFF):

Mrs. Condom made a motion to approve and Mr. Pouliot seconded it. The vote for approval was unanimous.

B. THIRD AND FINAL READING OF ORDINANCE 19-13 TO REZONE LEXINGTON COUNTY TMS# 01922-07-02 (LOCATED AT 7407 CARLISLE STREET) FROM NEIGHBORHOOD COMMERCIAL (CN) TO GENERAL COMMERCIAL (CG) (STAFF):

Mr. Walker made a motion to approve and Mrs. Condom seconded it. Mr. Walker feels Council rushed through the approval process. He stated he had tried several times to contact the developer but has not heard from them. He is concerned with the traffic impact.

Mr. Walker made a motion to defer Ordinance 19-13 until the September 17th Council Meeting. Mr. Walker rescinded his motion. Mrs. Condom explained that DHEC will resolve the contaminated soil. She stated that the zoning change is for the developer's parking plans. Mayor King explained that DOT will approve the ingress and egress of the property. The surrounding property is zoned General Commercial and the owner of the property wants to consolidate all three (3) properties into 1 block with the same zoning. Mayor King stated there is nothing in Irmo zoning laws that requires a traffic study.

Mr. Walker made a motion to defer Ordinance 19-13 until the September 17th Council Meeting to give the developer time to answer his concerns. The motion failed due to a lack of a second.

Mr. Pouliot mentioned that he has been involved in cases where the contaminated soil was not removed but was cleaned on site.

Mrs. Condom made a motion to call the question and Mr. Walker seconded it. The vote for approval was unanimous. The vote for approval of third and final reading approval was 4 to 1 with Mr. Walker voting in opposition.

Mayor King made a motion to suspend Robert's Rules of Order and take items G, H, and I under New Business out of order and Mr. Waites seconded. The vote for approval was unanimous.

OUT OF ORDER : See items G, H and I

NEW BUSINESS

A. FIRST READING OF ORDINANCE 19-14 TO ANNEX RICHLAND COUNTY TMS# 04004-01-09 (LOCATED AT 430 MISSION COURT) AS GENERAL COMMERCIAL (CG) (STAFF):

Mrs. Condom made a motion to approve and Mr. Walker seconded it. It was explained that the property is on Broad River Road and is adjacent to Lake Murray Flooring. The vote for approval was unanimous.

B. FIRST READING OF ORDINANCE 19-16 TO AMEND THE IRMO TOWN CODE, CHAPTER 10, BUSINESSES; SECTION 10-33 – PURPOSE AND DURATION (MAYOR):

Mr. Walker made a motion to approve and Mayor King seconded it. Mayor King stated that this ordinance is changing the license year from January thru December to May thru April to standardize with MASC. Also, they have created a portal where businesses can pay for a business license online on their website. The vote for approval was unanimous.

C. FIRST READING OF ORDINANCE 19-17 TO AMEND THE IRMO TOWN CODE, CHAPTER 10, BUSINESSES; SECTION 10-34 – LICENSE TAX (MAYOR):

Mr. Pouliot made a motion to approve and Mrs. Condom seconded it. Mayor King stated that this ordinance is changing the payment due date from January 30th to April 30th to standardize with MASC. The vote for approval was unanimous.

D. FIRST READING OF ORDINANCE 19-18 TO AMEND THE IRMO TOWN CODE, CHAPTER 2, ADMINISTRATION; ARTICLE II, COUNCIL; DIVISION 2, MEETINGS; SECTION 2-65 – ADDRESSING COUNCIL AND DECORUM (MAYOR):

Mayor King made a motion for approval and Mr. Walker seconded it. Mayor King stated that he drafted this ordinance to give the public a better understanding of the proper procedures for running a council meeting, and to simplify Robert's Rules. He explained that Council should decide either in favor or against it and move on to the next agenda item.

Mr. Walker stated that the Town had already adopted Robert's Rules of Order and stated that this is not necessary and feels like this ordinance is creating a dictatorship with all the "Not" statements. Mr. Pouliot stated that these are business meetings and should be conducted in a professional manner to allow everyone to feel comfortable speaking against or in favor of an item. Mr. Waites does not agree with all the "Not" statements in the ordinance but feels this is a step in the right direction.

Mayor King stated he had researched decorum in other local cities, municipalities, and school districts and provided copies in Council's packet. He challenged Council to do some research on their own and revise the ordinance with items they want to add or delete. The vote for approval was 4 to 1 with Mr. Walker voting in opposition.

E. FIRST READING OF ORDINANCE 19-19 TO AMEND THE IRMO TOWN CODE, CHAPTER 2, ADMINISTRATION; ARTICLE II, COUNCIL; DIVISION 2, MEETINGS; SECTION 2-69 – APPEARANCE BY CITIZENS (MAYOR):

Mayor King made a motion to approve and Mr. Walker seconded it. Mr. Walker would like to consider some language that would allow the ability to let the citizens speak a little longer on a case by case basis. The vote for approval was 4 to 1 with Mr. Walker voting in opposition.

F. FIRST READING OF ORDINANCE 19-20 TO AMEND THE IRMO TOWN CODE, CHAPTER 2, ADMINISTRATION; ARTICLE II, COUNCIL; DIVISION 2, MEETINGS; SECTION 2-70 – CITIZEN, AUDIENCE DECORUM DURING COUNCIL MEETINGS/PUBLIC HEARINGS AND PUBLIC PARTICIPATION BY CITIZENS (MAYOR):

Mayor King made a motion to approve and Mr. Pouliot seconded it. The vote for approval was unanimous.

OUT OF ORDER : G. APPROVAL TO AWARD CONTRACT WITH "SISTER HAZEL" IN THE AMOUNT OF \$22,000 TO PERFORM AT THE 2020 OKRA STRUT FESTIVAL (OKRA STRUT COMMISSION):

Mrs. Condom made a motion to approve and Mr. Waites seconded it. Mr. Larry Slaughter, Okra Strut Chairman, explained this is a contract for Sister Hazel to perform as the main band at the 2020 Okra Strut Festival for \$22,000. The vote for approval was unanimous.

OUT OF ORDER : H. APPROVAL TO AWARD CONTRACT WITH “PATRICK DAVIS ACOUSTIC TRIO” IN THE AMOUNT OF \$7,500 TO PERFORM AT THE 2019 OKRA STRUT FESTIVAL (OKRA STRUT COMMISSION):

Mr. Waites made a motion to approve the contract and Mr. Walker seconded it. The vote for approval to contract for the Patrick Davis Acoustic Trio for the 2019 Okra Strut in the amount of \$7,500. The vote for approval was unanimous.

OUT OF ORDER : I. APPROVAL TO CONTRACT WITH KEEP THE MIDLANDS BEAUTIFUL IN THE AMOUNT OF \$3,500 TO CO-HOST A RECYCLING EVENT IN THE TOWN OF IRMO OVER THE NEXT 12 MONTHS, AND PROVIDE WASTE-WISE RECYCLING AT ALL TOWN OF IRMO EVENTS (WALKER):

Mr. Walker made a motion to approve and Mrs. Condom seconded it. Both Mr. Walker and Mrs. Condom believe this is well worth the funds. Mr. Pouliot stated that he believes recycling is under siege in that so many things cannot be recycled.

Mayor King clarified with Mrs. Jacqueline Buck that Keep the Midlands Beautiful would provide waste-wise recycling at all Town of Irmo Community Events and the vote for approval was unanimous.

J. APPROVAL TO PERFORM A TRAFFIC STUDY FOR PROPERTY AT 7407 CARLISLE STREET (WALKER):

Mr. Walker withdrew this item.

K. APPROVAL OF INTERGOVERNMENTAL AGREEMENT BETWEEN THE TOWN OF IRMO AND THE CITY OF COLUMBIA TO MAINTAIN THE I-26 INTERCHANGE ON SC-60 (STAFF):

Mrs. Condom made a motion to approve and Mr. Walker seconded it. It was explained that the agreement is revised every few years and is for the I26/SC60 interchange (City of Columbia provides the Town free water and \$10,000 each year). The vote for approval was unanimous.

L. APPROVAL OF REFERENDUM QUESTION FOR THE 11/5/19 BALLOT; “SHOULD THE TOWN OVERTURN THE NO PARKING IN THE YARD ORDINANCE?” (MAYOR):

Mayor King made a motion to approve the referendum asking residents if the Town should overturn the no parking in the yard ordinance on the November 5, 2019 ballot and Mrs. Condom seconded it. Mrs. Condom along with Mr. Waites and Mr. Pouliot believe this will allow the citizens to voice their opinion on this issue and is in favor of adding the referendum.

Mr. Walker explained that residents had filled the Council chambers last year against the ordinance and Council ignored them and passed the ordinance anyway. He added that Council should reimburse residents for their expenses in relation to the installation of a parking pad. Mr. Walker made a motion that if Council overturns the ordinance after the results from the election that with a receipt, the town will refund the resident for their expenses. The motion failed due to a lack of a second.

The vote for approval was 4 to 1 with Mr. Walker voting in opposition.

M. APPROVAL OF REFERENDUM QUESTION FOR THE 11/5/19 BALLOT; “SHOULD THE TOWN BRING BACK A PROPERTY TAX IN ORDER TO PROVIDE MORE SERVICES (EXAMPLES: ROAD REPAIRS, STREET SWEEPING, HIRE MORE POLICE OFFICERS AND/OR STAFF, ETC.)?” (MAYOR):

Mayor King made a motion to approve the referendum asking residents as to whether the Town should bring back a property tax and Mr. Waites seconded it. Mr. Walker believes this referendum is not necessary because residents are not going to vote to raise taxes. He further explained that Council should build relationships with SCDOT, Lexington and Richland Counties to get roads repaired in Irmo. The vote for approval was 4 to 1 with Mr. Walker voting in opposition.

N. APPROVAL OF REFERENDUM QUESTION FOR THE 11/5/19 BALLOT; “SHOULD THE TOWN APPROVE A HOSPITALITY TAX TO PAY FOR MORE TOURISM RELATED EVENTS (EXAMPLES: CONCERTS IN THE PARK, OUTDOOR ART, SOCIAL MEDIA MANAGER, ETC.)?” (MAYOR):

Mayor King made a motion to approve a referendum asking if the Town should approve a Hospitality Tax on the November 5, 2019 ballot and Mrs. Condom seconded it. Mr. Walker voiced his concerns that this tax will put a burden on businesses which will deter them from coming into the Town of Irmo. He stated that Council should be helping businesses come to Irmo and work to increase the tax base instead of implementing a Hospitality Tax. The vote for approval was 4 to 1 with Mr. Walker voting in opposition.

PRESENTATION BY CITIZENS:

Mr. Mike Ward, 118 Ashbourne Road, addressed Council on Minehead Road, food trucks, ordinances, and Council Decorum

Mr. Erik Sickinger, 417 Cressfell Road, addressed Council on item meeting decorum

Mr. Art & Mrs. Brenda McClain – 137 Sonning Road, addressed Council on sanitation

Ms. Brandi Clarkson, 318 Lord Howe Road, addressed Council on sanitation and is thankful for the Irmo Police Department

Ms. Michelle Carpenter, 131 Casco Bay Road, addressed Council on the front yard parking referendum

Ms. Patricia Whitt, 213 Minehead Road, addressed Council on Carlisle Street zoning

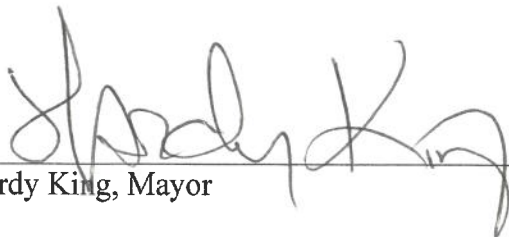
Mr. Dan Newbanks, 101 Denbeck Road, addressed Council on meetings

DISCUSSION: NONE


EXECUTIVE SESSION:

Mr. Pouliot made a motion to go into executive session to receive legal advice on Town code enforcement options and Mayor King seconded the motion and it passed 4 to 1 with Mrs. Condom voting in opposition; therefore, the Mayor, Council, Mr. Brown, and Mr. Burns went into executive session at 10:17 p.m. Mayor King called the meeting back to order at 10:46 p.m. and stated no votes were taken.

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 10:47 p.m.


Hardy King, Mayor

ATTEST:


Renee Caviness, Clerk/Treasurer

