



**THE IRMO TOWN COUNCIL WILL HOLD A REGULAR MEETING
ON TUESDAY, AUGUST 21, 2018 AT 7:00 P.M. IN THE MUNICIPAL BUILDING,
7300 WOODROW STREET, IRMO, SOUTH CAROLINA 29063**

AGENDA

- I. Call to Order
- II. Pledge of Allegiance
- III. Invocation
- IV. Reading of the Minutes: August 7, 2018
- V. Report of Standing
 - A. Administrative Briefing
 - B. Code Enforcement Update
- VI. Amendments to the Agenda
- VII. Consideration of Communications
 - A. Presentation of "Trunk or Treat" (Jada Powell)
 - B. Keep the Midlands Beautiful (Jacq Buck)
- VIII. Presentation by Citizens (Agenda Items Only)
- IX. **UNFINISHED BUSINESS**
 - A. None
- X. **NEW BUSINESS**
 - A. **FIRST READING** of Ordinance 18-22 amending the Irmo Town Code, Chapter 2, Administration; Article I, In-General; Section 2-4 – Recovery Collection Costs of Delinquent Debts (Staff)
 - B. **FIRST READING** of Ordinance 18-23 to decrease the Franchise payments from 4% to 3.5% from all entities that collect and submit a Franchise Fee on behalf of the Town of Irmo (Mayor)
 - C. **FIRST READING** of Ordinance 18-24 amending the Irmo Town Code, Chapter 20, Municipal Court; Section 20-3 - Municipal Judge (Mayor)
 - D. **FIRST READING** of Ordinance 18-25 amending the Irmo Town Code, Appendix A, Zoning Ordinance; Article VI, Supplemental Off-Street Parking and Loading Regulations; Section 6-4 Parking, Storage and use of Vehicles and Equipment in Residential Zones (Walker)

- E. Approval of Resolution 18-06 to authorize the Municipal Association of South Carolina to act as claimant agent for the Town of Irmo for the collection of debt in accordance with the Setoff Debt Collection Act (Staff)
- F. Approval of Agreement concerning electric service rights within the Town of Irmo municipal boundaries between Mid-Carolina Electric Cooperative and South Carolina Electric & Gas (Staff)
- G. Approval of Agreement to authorize the Municipal Association of South Carolina to act as claimant agent in accordance with the Setoff Debt Collection Act (Staff)
- H. Approval to close portions of Church Street, Lake Murray Boulevard, St Andrews Road, Eastview Drive and Battery Road for the Okra Strut Festival to be held September 28-29, 2018 (Okra Strut Commission)
- I. Approval to create a Town Center (Mayor)
- J. Approval to sponsor a trunk or treat event in the Community Park on October 27, 2018 (Walker)
- K. Rescind appointment of Judge Becki Adams as Town Judge (Mayor)
- L. Appointment to the Tax Advisory Committee (Staff)

XI. Presentation by Citizens

XII. Discussion

- A. Discussion of Town Court System (Mayor)
- B. Discussion on Municipal Judge Salary (Mayor)

XIII. Executive Session

(Council may act on items discussed in executive session after returning from the executive session).

XIV. Adjournment

2. The Town of Irmo hereby declares that the administrative fee charged by the Municipal Association of South Carolina is also a collection cost to the Town, which shall also be added to the delinquent debt and recovered from the debtor.
3. All Ordinances in conflict with this Ordinance are hereby repealed.
4. This Ordinance shall be effective on the date of final reading, provided however, that this ordinance is declared to be consistent with prior law and practice and shall not be construed to mean that any fees previously charged to debtors as costs of collection under the Act were not properly authorized or properly charged to the debtor.

DRAFT

STATE OF SOUTH CAROLINA)
)
TOWN OF IRMO)

ORDINANCE NO. 18-23

AN ORDINANCE TO DECREASE THE FRANCHISE PAYMENTS FROM 4% TO 3.5% FROM ALL ENTITIES THAT COLLECT AND SUBMIT A FRANCHISE FEE ON BEHALF OF THE TOWN OF IRMO.

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 three point five (3.5%) 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.

STATE OF SOUTH CAROLINA)
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TOWN OF IRMO)

ORDINANCE NO. 18-24

**AN ORDINANCE AMENDING THE IRMO TOWN CODE, CHAPTER 20 –
MUNICIPAL COURT; SECTION 20-3 – MUNICIPAL JUDGE**

**BE IT ORDERED AND ORDAINED BY THE MAYOR AND COUNCIL OF THE
TOWN OF IRMO IN COUNCIL DULY AND LAWFULLY ASSEMBLED, THAT THE
IRMO TOWN CODE IS AMENDED AS FOLLOWS:**

Change in first sentence following: *“municipal judges,”*

To read: *“... who may be appointed or contracted by the council with either the
Richland County or Lexington County Magistrate Office pursuant to SC State Statute 14-
25-25”*

Add to end of sentence #4 following *“state ...”*

To read: *“...constitution, unless previously sworn in as a magistrate judge.”*

STATE OF SOUTH CAROLINA)
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TOWN OF IRMO)

ORDINANCE NO. 18-25

AN ORDINANCE AMENDING THE IRMO TOWN CODE, APPENDIX A – ZONING ORDINANCE; ARTICLE VI, SUPPLEMENTAL OFF-STREET PARKING AND LOADING REGULATIONS; SECTION 6-4, PARKING, STORAGE AND USE OF VEHICLES AND EQUIPMENT IN RESIDENTIAL ZONES

BE IT ORDERED AND ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF IRMO IN COUNCIL DULY AND LAWFULLY ASSEMBLED, THAT THE IRMO TOWN CODE IS AMENDED AS FOLLOWS:

Add to paragraph (4);

Add sub-paragraph d): “Any car that has a valid handicap plate or sticker on the vehicle is exempt from this ordinance”

DRAFT

STATE OF SOUTH CAROLINA)
)
TOWN OF IRMO)

RESOLUTION 18-06

To authorize the Municipal Association of South Carolina to act as claimant agent for the Town of Irmo for the collection of debt in accordance with the Setoff Debt Collection Act.

WHEREAS, the Setoff Debt Collection Act, S.C. Code Ann. 12-56-10 allows the South Carolina Department of Revenue to render assistance in the collection of debt owed to political subdivisions of the State; and

WHEREAS, the Municipal Association of South Carolina will act as a claimant agency as provided by S.C. Code Ann. 12-56-10 for political subdivisions in South Carolina; and

WHEREAS, the Town of Irmo desires to participate in the Setoff Debt Collection Program of the Municipal Association;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Irmo authorizes the Town Administrator to enter into an agreement with the Municipal Association of South Carolina for the collection of debt owed the Town of Irmo.

BE IT FURTHER RESOLVED, that the Town of Irmo indemnifies the Municipal Association of South Carolina to the extent permitted by law against any injuries, actions, liabilities or proceedings arising from performance under the setoff debt provisions.