

TOWN OF IRMO REGULAR COUNCIL MEETING

October 4, 2016

The Irmo Town Council held a regular meeting on Tuesday, October 04, 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. Kirk Luther and Mr. Al Dozier of *The New Irmo News* was also present.

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

READING OF THE MINUTES:

Mr. Pouliot made a motion to approve the September 20, 2016 minutes and Mr. Waites seconded the motion. The vote to approve the minutes as submitted was unanimous.

Mr. Waites made a motion to approve the September 27, 2016 minutes and Mrs. Condom 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 Governor Haley just announced that area schools, Richland & Lexington County offices are closed until the next week due to weather conditions from Hurricane Matthew.

Also, he mentioned that DOT is denying Cinnaberry Pointe (Former Silver Fox) access to Lake Murray Blvd without some modifications to their plans. This means that there could be just one access point which would have all the traffic on Fork Avenue. Town Council might need to get involved. Mrs. Condom thinks that before council makes a decision that they should talk to Irmo Elementary and surrounding residents.

Mr. Brown reminded Council that there will be a recycling event on October 15th at Irmo High School. Residents will be able to drop off hazardous waste to include electronics, pesticides, scrap metal, tires and have shredding services.

Mr. Brown stated that Lexington County has funds available for public maintenance of drainage ditches. He stated that he will get Mr. Cline to see if there are areas in the town where this money could be used and then apply for the funds.

Mr. Walker asked Mr. Brown if he contacted Unified AV Systems to come to tonight's Council meeting as he had requested. Mayor King stated that four Council members emailed Bob telling him not to contact the Sales Representative from Unified AV Systems. Mr. Waites stated that some of the equipment has already been installed so what needs to be discussed. Mrs. Condom stated that somebody needs to explain the bidding process to all of Council to resolve any issues any member of Council has going forward. Mr. Walker stated that he did talk to the representative today before the Council meeting.

AMENDMENTS TO THE AGENDA:

Mr. Walker stated that he would like to remove his item H since it will be discussed in the Mayor King's item G.

CONSIDERATION OF COMMUNICATIONS:

Mr. Walker stated that he had received a letter regarding a check that was written to Mr. Marion Brown for some trees that were planted by mistake on Mr. Brown's property. Mayor King stated that this is on the agenda and will be discussed later in Executive Session.

PRESENTATION BY CITIZENS (AGENDA ITEMS ONLY):

Melissa Lindler, 7547 Eastview Drive, addressed Council on Reading of the Minutes.
Mr. George Glassmeyer, 100 Denbeck Road, addressed Council on Amendments to Agenda, and items G & H under New Business.

UNFINISHED BUSINESS

NEW BUSINESS

A. FIRST READING OF ORDINANCE 16-21 TO REZONE RICHLAND COUNTY TMS# 03916, BLOCK 02, LOT 01; AND TMS# 03911, BLOCK 05, LOT(S) 25, AND 44 (LOCATED ON COLUMBIANA DRIVE) FROM LIGHT MANUFACTURING (LM) TO GENERAL COMMERCIAL (CG) (STAFF):

Mrs. Condom made a motion to approve first reading of Ordinance 16-21 and Mayor King seconded the motion. Mrs. Condom asked Mr. Brown about the court ordered berm. Mr. Brown stated that the court order directed that the berm must remain. Mr. Walker then asked what the differences are between Light Manufacturing (LM) and General Commercial (CG) zoning. Mr. Brown stated that Light Manufacturing is more restrictive than General Commercial because there are less options. Council would like the Public Hearing to be on the November 1st agenda. The vote for approval was 4 to 1 with Mrs. Condom voting in opposition.

B. FIRST READING OF ORDINANCE 16-22 TO AMEND THE IRMO TOWN CODE, CHAPTER 14 - ENVIRONMENT; ARTICLE II – NUISANCES; SECTION 14-32 – UNSANITARY, UNSIGHTLY AND UNSAFE CONDITIONS (MAYOR):

Mr. Waites made a motion to approve first reading of Ordinance 16-22 and Mr. Pouliot seconded the motion. Mr. Waites stated that the current ordinance is vague and there are a lot of properties in town that are unsafe and unsanitary. Mr. Pouliot stated that the current ordinance does not have any “teeth” in it. He went on to say that he has been working with other council members and residents to strengthen the ordinance. Mrs. Condom voiced concerns about people having work done on their home and that they could violate this ordinance due to accumulation of construction material and debris. She does want to amend the ordinance to address her concern but does not have the proper wording to amend it at the moment.

Mr. Walker stated he has several items that Council should consider. He would like the word “leaves” in item (a) 1 to be deleted from the Ordinance because he waits for all the leaves to fall and then he removes the leaves from his yard. He feels most residents may do the same thing for health or financial hardships. Mr. Walker’s next concern was the height restriction of rank vegetation. He does grow okra in his front yard and it gets higher than 8”. He would also like to remove the words “any location” from the ordinance because of the concerns that Mrs. Condom mentioned earlier about accumulation of tools and construction materials.

Mayor King addressed Mr. Walker’s concerns by stating that he took the words he wants to remove is the same language that is in the current ordinance. Mayor King stated that he wasn’t a vegetation expert but that 8” height restriction would not apply to garden plants. Mr. Hale then stated that according to Oxford Reference.com the definition of rank vegetation is “Grassland or marsh vegetation that has grown abundantly without being cut or grazed for some time, and as a result has become tall, tussocky, and dominated by coarse species of grass”. Mayor King then explained that items cannot be accumulated on any residential lot unless the items are kept out of sight.

Mr. Walker made a motion to amend Ordinance 16-22 to remove the word “leaves” in item (a) 1. Mr. Pouliot second and the vote for approval was 4 to 1 with Mr. Waites voting in opposition. Then, the vote for 1st reading of Ordinance 16-22 for approval was unanimous.

C. APPROVAL OF LAW ENFORCEMENT ASSISTANCE AND SUPPORT AGREEMENT BETWEEN IRMO POLICE DEPARTMENT AND LEXINGTON POLICE DEPARTMENT (STAFF)

Mrs. Condom made a motion for approval and Mr. Waites seconded it. Chief Nates stated that this is a mutual agreement with Lexington County regarding crowd control, riots and other related issues. The vote for approval was unanimous.

D. APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN THE SOUTH CAROLINA ATTORNEYS GENERAL’S OFFICE AND THE IRMO POLICE DEPARTMENT FOR THE SOUTH CAROLINA INTERNET CRIMES AGAINST CHILDREN TASK FORCE (STAFF):

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

E. APPROVAL OF THE TOWN OF IRMO'S STORMWATER ENFORCEMENT RESPONSE PLAN (STAFF):

Mrs. Condom made a motion for approval and Mr. Waites seconded it. Mr. Cline stated that all town employees are trained on what is considered illicit discharge and reports any such violations. Therefore, this approval would make sure proper procedures are followed to get rid of waste and that there is no illicit discharge in stormwater drains throughout the town limits of Irmo. The vote for approval was unanimous.

F. APPROVAL TO AWARD KEEP THE MIDLANDS BEAUTIFUL \$2,500 FOR FY16/17 FUNDING (STAFF):

Mrs. Condom made a motion to award \$2,500 to Keep The Midlands Beautiful. Mr. Pouliot seconded the motion. Mr. Brown stated that Keep the Midland Beautiful organizes and sponsors recycling events like the one being held at Irmo High School on October 15, 2016. The vote for approval was unanimous.

G. APPROVAL TO INVITE AND DISCUSS THE CONTRACT WITH UNIFIED AV SYSTEMS ON THE NEXT TOWN COUNCIL MEETING (MAYOR):

Mayor King made a motion to approve Mr. Walker seconded the motion. Mayor King stated that he wanted to put this on the agenda so Council could vote and to settle this once and for all. He stated Council could discuss and/or invite Unfield AV Systems to the next Council meeting. Mr. Walker wants to talk to the vender about the contract. He is concerned about price gouging and whether the equipment will be outdated in a year. Mr. Walker stated that he asked to speak with the company on three different occasions. Mayor King stated that Mr. Walker should have brought up any concerns he had before or during the bid process. Mr. Hale stated that you cannot contact the vendor after the contract has been awarded. Mr. Walker stated that they need a meeting on the proper procedures and process for handling bids.

Mr. Pouliot stated that putting a vendor in the limelight to "pick or bully" on after they have been awarded a contract is wrong. If this is allowed, then Council is sending a message to the business world that we will award a contract but will "bully" them on every item in the contract. Mr. Pouliot mentioned that Council should not ask the vendors question but that Council could get Bob to ask the question of the vendor before awarding the contract. He also confirmed that Mr. Walker did talk to the vendor and then explained what he talked to the vendor about. The vote for the approval was 1 to 4 with Mrs. Condom voting in favor of inviting Unified AV Systems to discuss the contract. Therefore, the motion failed.

H. REVIEW OF VIDEO SYSTEM CONTRACT (WALKER): Removed

PRESENTATION BY CITIZENS:

Ms. Susan Wharf, 218 Doncaster Drive, addressed Council on item B under New Business

Ms. Melissa Linder, 7547 Eastview Drive, addressed Council on about Council packets
Mr. Robert Haynes, 412 Brickling Drive, addressed Council on item G under New Business
Ms. Darlene Lindler, 7547 Eastview Drive, addressed Council item A under New Business
DISCUSSION: None

EXECUTIVE SESSION:

A. Personnel Matter (Administrative Department) (Mayor):

Mr. Pouliot made a motion to enter into executive session to discuss a personnel matter in the Administrative Department. Mr. Waites seconded the motion and the vote was 4 to 1 with Mr. Walker in opposition. Mr. Walker then asked if this was about the check that Bob Brown, the Town Administrator, wrote to Marion Brown regarding the trees the town planted by mistake. Mayor King stated it needs to be discussed in Executive Session. Mr. Walker then asked for clarification on whether or not this was about the check Mr. Brown had written. The Mayor, Council, Mr. Hale and entered into executive session at 8:47 p.m. Following Executive Session, Mayor King called the meeting back to order at 9:50 p.m. and stated that they discussed a personnel matter and it has been resolved.

ADJOURNMENT: There being no further business, Mr. Waites made a motion to adjourn and Mr. Pouliot seconded it. The motion was approved unanimously; therefore, the meeting was adjourned at 9:51 p.m.

Hardy King, Mayor

ATTEST:

Renee Caviness, Clerk/Treasurer