

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

October 16, 2018

The Irmo Town Council held a public hearing and a regular meeting on Tuesday, October 16, 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.

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. and Mr. Walker led the Pledge of Allegiance and gave the Invocation.

READING OF THE MINUTES:

Mr. Pouliot made a motion to approve the October 2, 2018 minutes and Mrs. Condom seconded the motion. Mr. Walker requested the vote under Adjournment needs to be changed from “unanimously” to “3 to 2 with Mr. Walker and Mayor King voting in opposition.” The vote for approval as amended was unanimous.

REPORT OF STANDING:

- A. Administrative Briefing – Mr. Brown stated that he submitted 238 additional residences to the Census Bureau. They only approved 213 and Mr. Brown explained that he can resubmit changes in March 2019 for the 2020 Census. There is also an appeal procedure following the actual census.
- B. Code Enforcement Update - Chief Perry presented a summary on the Police and Code Enforcement activities for September.

AMENDMENTS TO THE AGENDA: None

CONSIDERATION OF COMMUNICATIONS:

A. Mayor King introduced Mr. David Brock of ERA Wilder Realty, who explained some of the activities he has been working on within the Town of Irmo. Mr. Brock stated that he represented the purchaser of the Friarsgate Shopping Center and is in the process of upgrading the building. He explained that two big box grocery stores are interested in leasing space in Irmo.

B. Mr. Walker asked Mr. Brown about the budget online. Mr. Brown explained that the budget ordinance is online, and citizens can go to the SC Comptroller General's Local Government Spending Transparency website page to view paid expenses. They can also request a copy of the budget through a FOIA request.

PRESENTATION BY CITIZENS (AGENDA ITEMS ONLY): None

UNFINISHED BUSINESS

A. THIRD AND FINAL READING OF 18-26 AMENDING THE IRMO TOWN CODE, CHAPTER 10, BUSINESSES; ARTICLE II, LICENSES; SECTION 10-32 – DEFINITIONS (STAFF):

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

B. THIRD AND FINAL READING OF ORDINANCE 18-27 AMENDING THE IRMO TOWN CODE, CHAPTER 10, BUSINESSES; ARTICLE II, LICENSES; SECTION 10-35 – REGISTRATION REQUIRED (STAFF):

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

C. THIRD AND FINAL READING OF ORDINANCE 18-29 TO ANNEX LEXINGTON COUNTY TMS #02799, BLOCK 06, LOT (S) 002 AND 043 (LOCATED AT 6365 AND 6371 ST ANDREWS ROAD) (STAFF):

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

D. SECOND READING OF ORDINANCE 18-30 TO GRANT MID-CAROLINA ELECTRIC COOPERATIVE NON-EXCLUSIVE RIGHTS TO OPERATE, PROVIDE SERVICE AND LEVY A 4% FRANCHISE FEE ON ITS CUSTOMERS THAT RESIDE IN THE TOWN OF IRMO (STAFF):

Mrs. Condom made a motion to approve and Mr. Walker seconded it. The vote for approval was 4 to 1 with Mr. Pouliot voting in opposition.

E. SECOND READING OF ORDINANCE 18-31 TO GRANT SOUTH CAROLINA ELECTRIC AND GAS NON-EXCLUSIVE RIGHTS TO OPERATE, PROVIDE SERVICE AND LEVY A 4% FRANCHISE FEE ON ITS CUSTOMERS THAT RESIDE IN THE TOWN OF IRMO (STAFF):

Mrs. Condom made a motion to approve and Mr. Walker seconded it. The vote for approval was 4 to 1 with Mr. Pouliot voting in opposition.

C. SECOND READING OF ORDINANCE 18-32 TO REZONE LEXINGTON COUNTY TMS 001921, BLOCK 01, LOT 015 (LOCATED AT 1164-A LAKE MURRAY BOULEVARD) FROM NEIGHBORHOOD COMMERCIAL (CN) TO GENERAL COMMERCIAL (CG) (STAFF):

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

NEW BUSINESS

A. FIRST READING OF ORDINANCE 18-33 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 (CONDOM):

Mrs. Condom made a motion to approve and Mr. Walker seconded it. Mrs. Condom stated that due to concerns she has found evidence where pine straw causes fires from the heat of catalytic converters in vehicles. She does not believe that Council should recommend something that is known to be hazardous, but residents would still be allowed to use pine straw. Mr. Walker agrees that it should be taken out of the ordinance. Mr. Waites mentioned that the City of Columbia has similar language in their ordinance. Mr. Hale stated that the ordinance is giving examples of accepted materials and does not mean it is a requirement. He understands that Mrs. Condom and Mr. Walker are against Council being seen as condoning pine straw, but a resident can use pine straw if they choose. Mr. Pouliot agreed that removing it from the ordinance would not cause any harm. The vote for approval was unanimous.

B. FIRST READING OF ORDINANCE 18-34 AMENDING THE IRMO TOWN CODE, APPENDIX A ZONING ORDINANCE; ARTICLE VIII – ADMINISTRATIVE PROCEDURES AND ENFORCEMENT REGULATIONS; SECTION 8-10 – REASONABLE ACCOMMODATIONS (STAFF):

Mayor King stated that Mr. Hale came up with this language for reasonable accommodations. Mrs. Condom made a motion to approve and Mr. Walker seconded it. Mrs. Condom asked Mr. Hale to explain and he stated that California is dealing with these regulations and procedures. He created a uniform code by using some of the recommended language from the American Disabilities Act (ADA), Department of Justice and California. This ordinance is following the Federal Law and would put policy, procedures and regulations in place. The ordinance would allow the Zoning Board of Appeals (ZBA) and the Zoning Administrator to use a different set of rules when making zoning related decisions involving a person with disabilities.

After Mr. Walker clarified his understanding of the ordinance, Mayor King asked if some language could be added that would require the citizen to have documentation or demonstrate they are disabled. Mr. Hale cautioned Council in using any type of eligibility language since a disabled person is a protected class and it is unlawful to put undue requirements on someone.

Mr. Walker stated that he would like to research this before he approves this language. The vote for approval was 4 to 1 with Mr. Walker voting in opposition.

C. APPROVAL OF INTERGOVERNMENTAL AGREEMENT BETWEEN THE TOWN AND BOTH RICHLAND AND LEXINGTON COUNTIES FOR INFRASTRUCTURE CONSTRUCTION AND MAINTENANCE (STAFF):

Mrs. Condom made a motion to approve and Mr. Pouliot seconded it. It was explained that the agreement is needed because of subdivisions being built across county lines in both Lexington and Richland counties. The vote for approval was unanimous.

PRESENTATION BY CITIZENS:

Mrs. Brandi Clarkson, 318 Lord Howe Road, addressed Council on item “A” under New Business and item “B” under Discussion

Mr. Al Middleton, Charleston SC, addressed Council on Kids Fire Safety

Mr. Erik Sickinger, 417 Cressfell Road, addressed Council on off-street parking blocking mailboxes, and abatement notice

Mr. Mike Ward, 118 Ashbourne Road, addressed Council on fire safety and item “A” under New Business

Mrs. Brandi Clarkson, 318 Lord Howe Road, addressed Council on abatement notices

DISCUSSION:

A. Discussion on the distribution of Okra Strut Funds (Mayor):

Mayor King stated that the Okra Strut Commission will be discussing ideas on projects using some of their surplus. He stated that Council should start thinking about ideas on how to use the proceeds and that Council should continue giving a majority of the Accommodation Funds to the Okra Strut due to it being a town sponsored event that promotes tourism

Mrs. Condom and Mr. Walker believe the Okra Strut Commission should decide what to do with the proceeds and should reinvest it in the festival. Mr. Pouliot feels they need to use the proceeds to get better bands and they should get them booked sooner.

B. Discussion on a yard of the month program (Mayor):

Mayor King explained the yard of the month program that a resident recently brought to his attention. Each member of the Council would pick a “Yard of the Month”, meaning 5 homes per month and 15 homes per quarter. At the end of the quarter, a winner would be chosen to

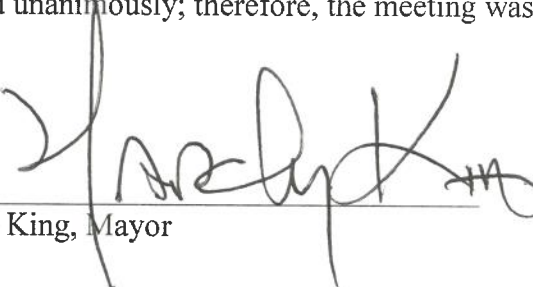
receive a prize, then at the end of the year, have one overall winner. Mrs. Condom thinks we should support or sponsor a neighborhood group to do a program. Mr. Pouliot believes that instead of "Yard of the Month" it should be "Most Improved Yard of the Month". Mr. Walker voiced his concerns with Council being involved in this type of program. It was decided that Council should not start a "Yard of the Month" program.

C. Discussion on road maintenance schedules (Walker):

Mr. Walker was contacted by several citizens for request to get certain roads resurfaced. He asked Mr. Brown to find out what roads are currently on the list and when they are scheduled to be resurfaced. He asked what Council can do to make Irmo's roads more of a higher priority. Mrs. Condom stated that she called Lexington County in the past to repair potholes and they quickly responded and fixed. Mr. Pouliot stated that Council should go to both Richland and Lexington County Council meetings. The discussion ended with Council agreeing to use their influence to get the roads in Irmo moved up on the list for the much needed repairs.

EXECUTIVE SESSION: None

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 8:46 p.m.



Hardy King, Mayor

ATTEST:



Renee Caviness, Clerk/Treasurer