

**TOWN OF IRMO
REGULAR COUNCIL MEETING**

November 6, 2018

The Irmo Town Council held a regular meeting on Tuesday, November 6, 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.

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

READING OF THE MINUTES:

Mr. Pouliot made a motion to approve the October 16, 2018 minutes and Mr. Waites seconded the motion. Mayor King requested that under Consideration of Communication change “purchased” to “represented the purchaser of” in the second to last sentence. The vote for approval as amended was unanimous.

REPORT OF STANDING:

- A. Administrative Briefing - The Administrator furnished a written briefing to Council in their agenda packets.
- B. Code Enforcement Update - Chief Perry presented a summary of the recent Police and Code Enforcement activities.

AMENDMENTS TO THE AGENDA: None

CONSIDERATION OF COMMUNICATIONS:

- A. Mr. Todd Highsmith informed Council that the audit of the Town’s financial statements as of June 30, 2018, had been completed and found them to be in compliance with Federal and State Statutes. After he answered questions, he explained that the Town is still in a good financial position with over 4.7 million in cash/cash equivalents and unrestricted funds of \$774,995.
- B. Mr. Larry Slaughter stated that the festival was a success even with the rain on Saturday and the Okra Strut Festival made approximately \$9,000 without using the \$10,000 in the reserve fund. They are considering a proposal to use their reserves to widen the paths in the Community Park of Irmo by the food vendors locations.

PRESENTATION BY CITIZENS (AGENDA ITEMS ONLY): None

UNFINISHED BUSINESS

A. THIRD AND FINAL 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. Waites seconded it. Mrs. Condom said it is necessary to approve the contract due to the audit report that was just presented. Mr. Walker confirmed his understanding that this contract allows Mid-Carolina Electric to raise the franchise fee and that it is their choice as to whether or not they want to charge the additional 1% to their customers. Mayor King asked Mr. Brown and Mr. Hale if these ordinances get voted down would the franchise fee stay at 3%. They explained that by not approving these ordinances, the franchise fee would remain at the approved 4%. It was explained that the Town is simply acknowledging that the electric companies may charge up to 4%, and it updates the language in the current contract and allows setting up services for new construction and annexations. These electric contracts clarify boundaries between both Mid-Carolina Electric and SCE&G. The vote for approval was unanimous.

B. THIRD AND FINAL 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. Waites seconded it. Mrs. Condom asked Mr. Hale to explain what would happen if SC&G goes bankrupt or if a new company takes it over in regard to the contracts. Mr. Hale explained that it would depend on how the event occurred. If it was a purchaser, they would accept all the assets and liabilities but if it was a whole new entity, then a new contract would need to be signed. The vote for approval was unanimous.

C. THIRD AND FINAL 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. Pouliot made a motion to approve and Mrs. Condom seconded it. The vote for approval was unanimous.

D. SECOND 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 asked if Council had approved another phrase in the last meeting. Mr. Brown stated that Council simply approved to remove the word “pine straw”. Mrs. Condom clarified that residents could still use pine straw if they choose that impervious substrate. Mayor King mentioned that some government agencies conducted studies and found no substantial evidence that catalytic converters on pine straw cause more fires than without pine straw. He does not think this is a necessary change. The vote for approval was 4 to 1 with Mayor King voting in opposition.

E. SECOND 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 explained that these changes were recommended by the Department of Justice for reasonable accommodations. Mr. Walker made a motion to postpone the vote until the next meeting on December 4, 2018 so Council can receive more information regarding the letter the town received from DOJ. The motion failed because it was not seconded.

OUT OF ORDER

EXECUTIVE SESSION: Mr. Walker then made a motion to suspend Robert’s Rules of Order by taking Executive Session out of order, defer voting on Ordinance 18-34 and go into Executive Session now. Mrs. Condom seconded it and it passed unanimously; therefore, the Mayor, Council, Mr. Brown, and Mr. Hale went into executive session at 7:38 p.m. Following “Executive Session”, Mayor King called the meeting back to order at 8:14 p.m. and explained they had gone into Executive Session to discuss correspondence that was received from the Department of Justice and in reference to Ordinance 18-34. He stated Council will do their due diligence and decide at the December 4, 2018 meeting regarding the letter from DOJ.

Therefore, Mayor King stated they are back to second reading of Ordinance 18-34. Mr. Walker made a motion for Mr. Hale to incorporate the language from the DOJ letter into this reasonable accommodation ordinance. After a brief discussion, Mr. Walker withdrew his motion.

Mr. Waites made a motion to defer second reading until December 4th meeting, so Mr. Hale could recommend some language from the DOJ letter into the current ordinance. Mr. Walker seconded it and the vote for approval was unanimous.

NEW BUSINESS

A. NONE

PRESENTATION BY CITIZENS:

Mrs. Brandi Clarkson, 318 Lord Howe Road, addressed Council on a letter from Jada Powell, dog attack, and treating citizens with respect.

Mr. Wade DeLoach, 156 Finsbury Road, addressed Council on item “D” under unfinished business and his Christmas lights display.

DISCUSSION:

A. Discussion on recycling in Irmo (Mayor):

Mayor King opened the discussion stating that recently Sonoco did a presentation for Council and citizens on recycling. The Sonoco representative presented a lot of information he believes most people are not aware of. He stated that he talked to Bob about putting some of the information on our Facebook page and possibly our website to inform the citizens. Mr. Pouliot suggested that a link to the Sonoco website be put on our website and Facebook. Then, citizens would have access to the most recent information directly from Sonoco who would update their website as things change.

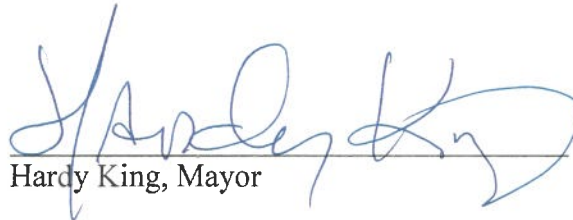
Mr. Walker voiced his concerns about Sonoco raising their fees and asked if there was anything the Town could do about the rising costs. It was explained that there is no contract and the Town is at the mercy of Sonoco regarding rising costs for they are the only recycling company in the area. He asked about setting up recycling points around the Town of Irmo and Mayor King replied that no one wanted it in "their" backyard. After a brief discussion, Council decided to put a link to the Sonoco website on our website and Facebook account. They also decided to update the list of items that cannot be recycled on the Town's website with the updated information.

B. Discussion on Abatement Process (Code 14-34) (Mayor):

Mayor King asked Mr. Brown to explain the abatement process. Mr. Brown stated that there are 3 different abatement periods which includes a 30 day abatement on rental property; 10 day abatement for violations of Town code (except for vehicles and illicit discharge violations which are on a 15 day abatement period). He explained that residents can have only 1 abatement notice on the same issue within a 12 month period before receiving a ticket. At that point, the police officer will give a 24 hour warning notice prior to issuing a ticket. Chief Perry further explained that the police officers try to work with the citizens to get them in compliance before issuing a citation. Mr. Walker is in favor of police officers working with the citizens but mentioned his concerns about how many chances they should have before officers write a citation. Council ended the discussion by agreeing that the current abatement notice process is currently working.

EXECUTIVE SESSION: OUT OF ORDER – See item "E" under Unfinished Business.

ADJOURNMENT: There being no further business, Mr. Pouliot made a motion to adjourn and Mr. Waites seconded it. The motion was approved unanimously; therefore, the meeting was adjourned at 9:00 p.m.


Hardy King, Mayor

ATTEST:


Renee Caviness, Clerk/Treasurer