



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

A G E N D A

- I. Call to Order
- II. Pledge of Allegiance
- III. Invocation
- IV. Reading of the Minutes: July 17, 2018
- V. Report of Standing
 - A. Administrative Briefing
 - B. Code Enforcement (Parking Update)
- VI. Amendments to the Agenda
- VII. Consideration of Communications
 - A. Presentation of Okra Strut Scholarships to: Matthew Hawkins (Dutch Fork) and Mychal Cumbo (Irmo) (Okra Strut Commission)
- VIII. Presentation by Citizens (Agenda Items Only)
- IX. **UNFINISHED BUSINESS**
 - A. **THIRD AND FINAL READING** of Ordinance 18-18 for the sale and transfer of real property owned by the Town, located at 7418 Woodrow Street, Irmo, SC in the amount of \$46,000.00 to the owners of the Irmo Lock Company (Staff)
 - B. **THIRD AND FINAL READING** of Ordinance 18-19 to increase the Franchise payments from 3% to 4% from all entities that collect franchise fees on behalf of the Town (Condom)
 - C. **THIRD AND FINAL READING** of Ordinance 18-20 to establish a Stormwater Management Utility Fee of \$8.00 annually per single-family residence for compliance with Federal and State Small Municipal Separate Storm Sewer Systems (Mayor)
 - D. **THIRD AND FINAL READING** of Ordinance 18-21 to establish a Uniform Service Fee of \$3.50 annually per single-family residence to manage the Town's Solid Waste Program in accordance with Chapter 26 of the Town Code (Mayor)
- X. **NEW BUSINESS**
 - A. Appointment to the ZBA (Mayor)

XI. Presentation by Citizens

XII. Discussion

XIII. Executive Session

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

XIV. Adjournment

STATE OF SOUTH CAROLINA)
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TOWN OF IRMO)

ORDINANCE NO. 18-18

AN ORDINANCE FOR THE SALE AND TRANSFER OF REAL PROPERTY OWNED BY THE TOWN OF IRMO.

IT APPEARING TO COUNCIL THAT CARTER COMMERCIAL APPRAISALS GROUP HAS APPRAISED THE PROPERTY AT 7418 WOODROW STREET, IRMO, SOUTH CAROLINA, 29063 AS HAVING A VALUE OF \$46,000.00 AND THAT SUCH VALUATION APPEARS TO COUNCIL TO BE FAIR AND REASONABLE VALUATION OF THE SUBJECT PROPERTY; AND,

IT FURTHER APPEARING TO COUNCIL THAT IT IS IN THE BEST INTEREST OF THE CITIZENS OF IRMO, SOUTH CAROLINA THAT SUCH PROPERTY BE SOLD; AND,

IT FURTHER APPEARING TO COUNCIL THAT THE CURRENT TENANT OF 7418 WOODROW STREET, IRMO, SOUTH CAROLINA, 29063 HAS LEASED THE SUBJECT PROPERTY FROM THE TOWN OF IRMO FOR A NUMBER OF YEARS AND IS INTERESTED IN PURCHASING THE SUBJECT PARCEL.

BE IT ORDERED AND ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF IRMO IN COUNCIL DULY AND LAWFULLY ASSEMBLED, THAT THE TOWN ADMINISTRATOR OF THE TOWN OF IRMO IS AUTHORIZED AND DIRECTED TO SIGN ALL DOCUMENTS AND PERFORM ALL ACTS NECESSARY, APPROPRIATE OR CONVINEIENT TO CARRY INTO EFFECT THE SALE OF SAID PARCEL TO MR. GUY CASKEY, IRMO LOCK, FOR THE AMOUNT OF \$46,000.00 AND THE CLERK OF THE TOWN OF IRMO IS AUTHORIZED AND DIRECTED TO ATTEST THE TOWN ADMINISTRATOR'S EXECUTION OF SUCH DOCUMENTS.

STATE OF SOUTH CAROLINA)
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TOWN OF IRMO)

ORDINANCE NO. 18-19

AN ORDINANCE TO INCREASE THE FRANCHISE PAYMENTS FROM 3% TO 4% 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, 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 four (4%) 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. In this case the fee will be applied beginning July 1, 2018 with the first payment of the increased amount to the Town no later than July 1, 2019. 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. 18-20

AN ORDINANCE ESTABLISHING A STORMWATER MANAGEMENT UTILITY FEE FOR THE PURPOSE OF MANAGING THE TOWN OF IRMO STORMWATER PROGRAM AND SATISFYING THE REGULATORY REQUIREMENTS OF THE STATE OF SOUTH CAROLINA NPDES GENERAL PERMIT FOR STORMWATER DISCHARGES FROM REGULATED SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS.

WHEREAS, The Federal Clean Water Act, as amended by the Water Quality Act of 1987 (33 U.S.C. §1251 *et seq.*), other amendments, and rules promulgated by the United States Environmental Protection Agency pursuant to the Clean Water Act and its amendments has placed increased requirements and emphasis on the role of local governments in developing, implementing and funding Stormwater management programs which address water quality impacts of Stormwater runoff; and

WHEREAS, South Carolina Department of Health and Environmental Control (SCDHEC) has granted The Town of Irmo permit coverage to discharge Stormwater into the receiving waters of South Carolina and receiving waters of the United States in accordance with the conditions set forth in the State of South Carolina NPDES General Permit for Storm Water Discharges from Regulated Small Municipal Separate Storm Sewer Systems, SCR030000; and

WHEREAS, the South Carolina General Assembly adopted the Stormwater Management and Sediment Reduction Act (the Act), Chapter 14, Title 48 of the Code of Laws of South Carolina Annotated (1976, as amended), which authorizes a local government to establish a Stormwater Management Utility and adopt a fee system to help fund its Stormwater management program, and the South Carolina Land Resources and Conservation Commission promulgated comprehensive regulations as required by said Act that regulate implementation of a Stormwater Management Utility; and

WHEREAS, the Town is implementing a fee of \$8.00 per residence on an annual basis to be paid with their county taxes. This fee will become effective on January 1, 2019.

STATE OF SOUTH CAROLINA)
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TOWN OF IRMO)

ORDINANCE NO. 18-21

AN ORDINANCE ESTABLISHING A UNIFORM SERVICE FEE OF \$3.50 ANNUALLY, PER RESIDENCE FOR THE PURPOSE OF MANAGING THE TOWN OF IRMO SOLID WASTE PROGRAM IN ACCORDANCE WITH CHAPTER 26 OF THE TOWN CODE.

WHEREAS, The Town Staff handles administrative duties that includes phone calls, written correspondence, social media messaging, management of the recycle initiatives and roll-cart distribution along with maintenance in support of the solid waste program, and

WHEREAS, the Town in accordance with the South Carolina Title 6, Section 6-1-330 with an effective date of 1997 and amended June 16, 2009 is implementing a uniform service fee of \$3.50 per residence on an annual basis to defray the administrative cost associated with managing the solid waste service contracted for the citizens of the Town. This fee will be coordinated through the auditor of both Lexington and Richland County with the collection through county taxes. This fee will become effective on January 1, 2019.

