



ELGIN TOWN COUNCIL MEETING

AGENDA

TUESDAY, JANUARY 3, 2023, AT 6:00PM

Kershaw County



Call to Order

Invocation

Pledge of Allegiance

December 6, 2022, Meeting Minutes

PUBLIC FORUM

ADOPTION OF AGENDA

NEW BUSINESS LICENSE APPLICATIONS-DECEMBER 2022

CHARITY PERMIT REQUESTS-DECEMBER 2022

COMPLAINTS-DECEMBER 2022

PUBLIC HEARING

OLD BUSINESS

Potter Park Update

NEW BUSINESS

Chief Anders-Update

Special Election Ordinance-1st Reading

COUNCIL BRIEFING

Councilman Ed Smith

Councilwoman Dana Sloan

Councilman Brad Hanley

3-23 Mayor Melissa Emmons

Town Attorney John Wells

EXECUTIVE SESSION

Personnel Matter-Mayor Emmons

(Action may possibly be taken on issues discussed in Executive Session after Council reconvenes.)



SPECIAL CALL BUSINESS MEETING

AGENDA

TUESDAY, JANUARY 10, 2023, AT 6:00PM

Kershaw County



DECEMBER 6, 2022, Meeting Minutes

ADOPTION OF AGENDA

OLD BUSINESS

Special Election Ordinance-2ND Reading
Potter Park Update

NEW BUSINESS

Building Code Ordinance – 1st Reading



ELGIN TOWN COUNCIL MEETING

AGENDA

TUESDAY, FEBRUARY 7, 2023, AT 6:00PM

Kershaw County



Call to Order

Invocation

Pledge of Allegiance

JANUARY 3, 2023, Meeting Minutes

JANUARY 10, 2023, Special Business Meeting Minutes

PUBLIC FORUM

ADOPTION OF AGENDA

NEW BUSINESS LICENSE APPLICATIONS-DECEMBER 2022 & JANUARY 2023

BAILA FUSION DANCE FITNESS

JL MESA, LLC

FERNANDEZ INTERPRETER & TRANSLATOR SOLUTIONS, LLC

D BERGER DENTAL OF ELGIN PA

SENIOR CITIZEN SERVICES BY SHAMROCK LLC

SALES SOLUTION LLC DBA HRE CONSTRUCTION

CHARITY PERMIT REQUESTS-DECEMBER 2022 & JANUARY 2023

Grace Life Church – Yard Sale

Girl Scouts – Cookie Booth - Town Hall

Girl Scouts – Cookie Booth - Food Lion

Girl Scouts – Cookie Booth - Mid Carolina CU

COMPLAINTS- DECEMBER 2022 & JANUARY 2023

PUBLIC HEARING

OLD BUSINESS

Elgin Community Center-Update

Rezoning 1217 Rose St RS-1 to GC-1-Recommendation-John Thrash (Chair, Elgin Planning and Zoning)

Building Code Ordinance – 2nd Reading

Lawtrak

NEW BUSINESS

Chief Anders-Updates

Budget Amendment (TOE) – 1st Reading (\$25,181.20 from g/l #7380 Contingency to g/l #7130 Town Salaries)

COUNCIL BRIEFING

Councilman Ed Smith

Councilwoman Dana Sloan

Councilman Brad Hanley

Mayor Melissa Emmons

Town Attorney John Wells

EXECUTIVE SESSION



ELGIN TOWN COUNCIL MEETING

AGENDA

TUESDAY, FEBRUARY 7, 2023, AT 6:00PM

Kershaw County



Call to Order

Invocation

Pledge of Allegiance

JANUARY 3, 2023, Meeting Minutes

JANUARY 10, 2023, Special Business Meeting Minutes

PUBLIC FORUM

ADOPTION OF AGENDA

NEW BUSINESS LICENSE APPLICATIONS-DECEMBER 2022 & JANUARY 2023

BAILA FUSION DANCE FITNESS

JL MESA, LLC

FERNANDEZ INTERPRETER & TRANSLATOR SOLUTIONS, LLC

D BERGER DENTAL OF ELGIN PA

SENIOR CITIZEN SERVICES BY SHAMROCK LLC

SALES SOLUTION LLC DBA HRE CONSTRUCTION

CHARITY PERMIT REQUESTS-DECEMBER 2022 & JANUARY 2023

Grace Life Church – Yard Sale

Girl Scouts – Cookie Booth - Town Hall

Girl Scouts – Cookie Booth - Food Lion

Girl Scouts – Cookie Booth - Mid Carolina CU

COMPLAINTS- DECEMBER 2022 & JANUARY 2023

PUBLIC HEARING

OLD BUSINESS

Elgin Community Center-Update

Rezoning 1217 Rose St RS-1 to GC-1-Recommendation-John Thrash (Chair, Elgin Planning and Zoning)

Building Code Ordinance – 2nd Reading

NEW BUSINESS

Chief Anders-Updates

Budget Amendment (TOE) – 1st Reading (\$25,181.20 from g/l #7380 Contingency to g/l #7130 Town Salaries)

COUNCIL BRIEFING

Councilman Ed Smith

Councilwoman Dana Sloan

Councilman Brad Hanley

Mayor Melissa Emmons

Town Attorney John Wells

EXECUTIVE SESSION



ELGIN TOWN COUNCIL MEETING

AGENDA

TUESDAY, MARCH 7, 2023, AT 6:00PM

Kershaw County



Call to Order

Invocation

Pledge of Allegiance

February 7, 2023, Meeting Minutes

PUBLIC FORUM

ADOPTION OF AGENDA

NEW BUSINESS LICENSE APPLICATIONS-FEBRUARY 2023

Sky Air Conditioning and Heating

Premiere Roofing LLC

Lem Wooten Inc

The Shandon Group, Inc.

CHARITY PERMIT REQUESTS- FEBRUARY 2023

Life Wireless

LaFerb Unique

COMPLAINTS- FEBRUARY 2023

PUBLIC HEARING

OLD BUSINESS

Community Center Update

2nd Reading-Budget Amendment

NEW BUSINESS

Chief Anders-Updates

Kershaw County teacher of the Year

Contract-Architect for Elgin Community Center-Jeff Lewis

COUNCIL BRIEFING

Councilman Ed Smith

Councilwoman Dana Sloan

Councilman Brad Hanley

Mayor Melissa Emmons

Town Attorney John Wells

EXECUTIVE SESSION



ELGIN TOWN COUNCIL SPECIAL BUSINESS MEETING

AGENDA

TUESDAY, MARCH 21, 2023, AT 6:00PM

Kershaw County



NEW BUSINESS

Landplan Group South Proposal for Community Center-(placed on the agenda by Councilman Brad Hanley/Mayor Melissa Emmons)

EXECUTIVE SESSION

(Action may possibly be taken on issues discussed in Executive Session after Council reconvenes.)



ELGIN TOWN COUNCIL MEETING

AGENDA

TUESDAY, APRIL 4, 2023, AT 6:00PM

Kershaw County



Call to Order

Invocation

Pledge of Allegiance

March 7, 2023, Meeting Minutes

March 21, 2023, Special Business Meeting Minutes

Oath of Office for new Elgin Town Councilmember

PUBLIC FORUM

ADOPTION OF AGENDA

NEW BUSINESS LICENSE APPLICATIONS-MARCH 2023

SHINGLES NOW LLC

L&W SUPPLY CORP

KAM FOODS LLC DBA GYROMANIA GRILL 5

TWO TEENS AND A TRUCK LLC

CHARITY PERMIT REQUESTS-MARCH 2023

COMPLAINTS-MARCH 2023

PUBLIC HEARING

Rezoning Request-1217 Rose Street-from RS1 to GC1

OLD BUSINESS

Elgin Community Center Update- (placed on the agenda by Councilman Brad Hanley)

2nd Reading-Rezoning Request for 1217 Rose Street-from RS1 to GC1- (placed on the agenda by Mayor Melissa Emmons)

LawTrak Reports- (placed on the agenda by Councilman Brad Hanley)

NEW BUSINESS

Chief Anders-Update

Bulldog Wrecker Service-(placed on agenda by owner per Randy Pruitt)

Town of Elgin Election in November 2023-(placed on the agenda by Mayor Melissa Emmons)

MASC Local Revenue Service Ordinance- (placed on the agenda by Mayor Melissa Emmons)

MASC Local Revenue Service Intergovernmental Agreement-(placed on the agenda by Mayor Melissa Emmons)

MASC Local Revenue Service Participant Program Supplement- (placed on the agenda by Mayor Melissa Emmons)

Food Truck/Vendor Ordinance- (placed on the agenda by Mayor Melissa Emmons)

Amendment to Ordinance No. 137-Town Council Rules of Procedure-Council Meetings, Section 5, item 15.B and Section 6, Item B/C- (placed on the agenda by Councilman Brad Hanley)

COUNCIL BRIEFING

Councilman Ed Smith

Councilwoman Dana Sloan

Councilman Brad Hanley

Mayor Melissa Emmons

Town Attorney John Wells

EXECUTIVE SESSION

(Action may possibly be taken on issues discussed in Executive Session after Council reconvenes.)



ELGIN TOWN COUNCIL MEETING

AGENDA

TUESDAY, MAY 2, 2023, AT 6:00PM

Kershaw County



Call to Order

Invocation

Pledge of Allegiance

April 4, 2023, Meeting Minutes

PUBLIC FORUM

ADOPTION OF AGENDA

NEW BUSINESS LICENSE APPLICATIONS-APRIL 2023

D&JS SKEETER TREATER DBA MOSQUITO MARYS

JEANS HAIR PLACE (NEW OWNER, NEW TAX ID)

LIGHTSPEED CONSTRUCTION GROUP (FIBER OPTIC CABLE INSTALLER)

CHARITY PERMIT REQUESTS-APRIL 2023

COMPLAINTS-APRIL 2023

PUBLIC HEARING

OLD BUSINESS

Elgin Community Center Update- (placed on the agenda by Councilman Brad Hanley)

LawTrak Reports- (placed on the agenda by Councilman Brad Hanley)

2nd Reading-Town of Elgin Election Ordinance-November 2023- (placed on the agenda by Mayor Melissa Emmons)

2nd Reading-MASC Local Revenue Service Ordinance- (placed on the agenda by Mayor Melissa Emmons)

2nd Reading-MASC Local Revenue Service Intergovernmental Agreement- (placed on the agenda by Mayor Melissa Emmons)

2nd Reading-MASC Local Revenue Service Participant Program Supplement- (placed on the agenda by Mayor Melissa Emmons)

1st Reading-Food Truck/Vendor Ordinance- (placed on the agenda by Mayor Melissa Emmons)

1st Reading-Amendment to Ordinance No. 137-Town Council Rules of Procedure-Council Meetings, Section 5, item 15.B and Section 6, Item B/C/D- (placed on the agenda by Councilman Brad Hanley)

NEW BUSINESS

Chief Anders-Update

1st Reading-2023/2024 Town of Elgin Budget- (placed on the agenda by Mayor Melissa Emmons)

COUNCIL BRIEFING

Councilwoman Cristy Bradley

Councilman Brad Hanley

Councilwoman Dana Sloan

Councilman Ed Smith

Mayor Melissa Emmons

Town Attorney John Wells

EXECUTIVE SESSION

(Action may possibly be taken on issues discussed in Executive Session after Council reconvenes.)



ELGIN TOWN COUNCIL SPECIAL BUSINESS MEETING

AGENDA

TUESDAY, MAY 16, 2023, AT 6:00PM

Kershaw County



OLD BUSINESS

Elgin's 2023-2024 Budget Worksheet

Phil Lindler-Elgin Comprehensive Plan (added to the agenda by Mayor Melissa Emmons)

EXECUTIVE SESSION

(Action may possibly be taken on issues discussed in Executive Session after Council reconvenes.)



ELGIN TOWN COUNCIL SPECIAL BUSINESS MEETING

AGENDA

WEDNESDAY, MAY 24, 2023, AT 6:00PM

Kershaw County



NEW BUSINESS

Clerk of Court Opening-placed on the agenda by Councilwoman Dana Sloan

OLD BUSINESS

Elgin Community Center Design-placed on the agenda by Councilman Brad Hanley

EXECUTIVE SESSION

(Action may possibly be taken on issues discussed in Executive Session after Council reconvenes.)



ELGIN TOWN COUNCIL MEETING

AGENDA

TUESDAY, JUNE 6, 2023, AT 6:00PM

Kershaw County



Call to Order

Invocation

Pledge of Allegiance

May 2, 2023, Meeting Minutes

May 16, 2023, Meeting Minutes

May 24, 2023, Meeting Minutes

PUBLIC FORUM

ADOPTION OF AGENDA

NEW BUSINESS LICENSE APPLICATIONS-MAY 2023

COLLIERS INTERNATIONAL OF SOUTH CAROLINA

SANFORD INVESTORS LLC DBA WINDOW WORLD OF THE MIDLANDS

LYLES & LYLES CONSTRUCTION

AMERICAN BUILDERS & CONTRACTORS SUPPLY CO

PALMETTO RESIDENTIAL ELECTRIC LLC

PALMETTO PROPERTY MANAGEMENT OF SC

ANTICIMEX CAROLINAS, LLC DBA CLARKS PEST CONTROL

CHARITY PERMIT REQUESTS-MAY 2023

COMPLAINTS-MAY 2023

PUBLIC HEARING

2023/2024 Town of Elgin Budget

OLD BUSINESS

Elgin Community Center Update- (placed on the agenda by Councilman Brad Hanley)

2nd Reading-Town of Elgin Election Ordinance-November 2023- (placed on the agenda by Mayor Melissa Emmons)

2ND Reading-Food Truck/Vendor Ordinance- (placed on the agenda by Mayor Melissa Emmons)

2ND Reading-Amendment to Ordinance No. 137-Town Council Rules of Procedure-Council Meetings, Section 5, item 15.B and Section 6, Item B/C/D- (placed on the agenda by Councilwoman Dana Sloan)

2ND Reading-2023/2024 Town of Elgin Budget- (placed on the agenda by Mayor Melissa Emmons)

NEW BUSINESS

KC trails Bob Giangiorgi (placed on agenda by Mayor Melissa Emmons)

Chief Anders-Update

COUNCIL BRIEFING

Councilwoman Cristy Bradley

Councilman Brad Hanley

Councilwoman Dana Sloan

Councilman Ed Smith

Mayor Melissa Emmons

Town Attorney John Wells

EXECUTIVE SESSION

(Action may possibly be taken on issues discussed in Executive Session after Council reconvenes.)

ORDINANCE _____

An Ordinance to Provide for Election Dates & Times

WHEREAS THE TOWN COUNCIL OF THE TOWN OF ELGIN WISHES TO HOLD THE ELECTION FOR TWO (2) TOWN COUNCIL SEATS AND MAYOR, AND

WHEREAS SAID ELECTION SHALL BE HELD ON THE FIRST TUESDAY OF NOVEMBER DESCRIBED AND REQUIRED BY THE LAWS OF THE STATE OF SOUTH CAROLINA. AND TO BE ORDAINED BY THE TOWN COUNCIL OF ELGIN IN THE STATE OF SOUTH CAROLINA THAT THE TIME FOR ELECTIONS WILL BE HELD ON THE FOLLOWING DATES AND TIMES:

NOW THEREFORE BE IT ORDAINED:

1. The election shall be held on November 7, 2023. Polls shall open at 7:00am and close at 7:00 p.m. Polling places shall be at Elgin Town Hall, 2469 Main Street, Elgin, SC 29045 for all voters.
2. Early voting shall be held at the office of the Kershaw County Election Commission located at 1117B Broad Street, Camden, SC 29020. Eligible voters may vote in person at that location between 8:30am and 5:00pm from Monday, October 23, 2023, through Friday, October 27, 2023, and from Monday, October 30, 2023, and Friday, November 3, 2023.
3. The filing for the Two (2) Council positions and Mayor will commence at Noon on August 1, 2023, and close at Noon on August 15, 2023, by filing a statement of the candidacy at the offices of Kershaw County Election Commission.
4. The Town Council authorizes the running of the announcement for Election in the paper of local coverage, placed Sixty (60) days prior to the Election and at least one (1) other time.
5. Candidates and voters must reside within the Town Limits of Elgin to participate in this election.
6. Authority for conducting the above-mentioned election is transferred to the Kershaw County Election Commission under §5-15-145 S.C. Code of Laws Ann.
7. This is a plurality election, the candidate for each seat with the most votes wins the seat. No runoff will be held.

Melissa Emmons, Mayor

Becky Summey
Town Clerk

Brad Hanley, Councilman

1st Reading (approved)_____

Ed Smith, Councilman

2nd Reading (adopted)_____

Dana Sloan, Councilwoman

Cristy Bradley, Councilwoman

ORDINANCE NO.137 - Amended 2023

AN ORDINANCE TO RATIFY TOWN COUNCIL RULES OF PROCEDURE

WHEREAS South Carolina Code 5-7-520 requires the Council adopt rules of procedure,

NOW, THEREFORE, BE IT ORDAINED by the Town Council of Elgin that the following rules of procedure be adopted.

GENERAL PROVISIONS

SECTION 1 FORM OF GOVERNMENT

The mayor-council (strong mayor) form under Title 5, Chapter 9, is hereby confirmed, and shall consist of a Mayor and four Council members.

SECTION 2 ELECTIONS

In a non-partisan election, qualified electors of the town shall elect the members of Council and Mayor from the town at large. General elections in the town shall be held on the first Tuesday following the first Monday in November of each odd-numbered year in which the term of office of the Mayor or council members may expire. The terms of office of the Mayor and Council members so elected shall be for a period of four years commencing as of December 1 in the year in which elected with the terms staggered so that half of the council is elected every two years. (SC Code 5-15-10)

The terms of the Mayor and the two Council Members whose terms expire in 2019 shall be extended from March 1, 2019 until December 1, 2019, after which the Mayor and two Council Members elected in November of 2019 shall begin to serve their four year terms. The two Council Members whose terms expire in 2021 shall have their terms extended from March 1, 2021 until December 1, 2021 after which the two Council Members elected in November of 2021 shall begin their four year terms. All compensation, rights, privileges and duties of the Council Members shall be likewise extended.

SECTION 3 OATH OF OFFICE

The Mayor and Council members, before entering upon the duties of their respective offices, shall take the following oath;

"I do solemnly swear (or affirm) that I am duly qualified, according to the Constitution of this state, to exercise the duties of the office to which I have been elected and that I will, to the best of my ability, discharge the duties thereof, and preserve, protect, and defend the Constitution of this state and of the United States. So help me God."

As Mayor (or Councilmember) of the Town of Elgin, I will equally, fairly and impartially, to the best of my ability and skill, exercise the trust reposed in me, and I will use my best endeavors to preserve the peace and carry into effect, according to law, the purpose for which I have been elected. So help me God." (SC Code 5-15-190)

SECTION 4 COMPENSATION OF MAYOR AND COUNCIL MEMBERS

The annual salary of the Mayor, as well that of each member of Council, shall be established by the council from time to time in accordance with SC Code § 5-7-170. No payment may be received by the Mayor and Council members for travel expenses, except on a case-by-case emergency basis approved by majority of Council. (Ordinance # 94. 1/89)

SECTION 5 MAYOR PRETEMPORAL

Immediately after each general election for council, upon recommendation of the Mayor, the council elects from its membership a mayor pro tempore for a term of not more than two years. The mayor pro tempore shall act as mayor during absence or disability of the mayor. If a vacancy occurs in the office of mayor, the mayor pro tempore shall serve as mayor until a successor is selected. (SC Code § 5-7-190)

LEGISLATION : ORDINANCES AND RESOLUTIONS

SECTION 1 ADOPTION, AMENDMENT, OR REPEAL ORDINANCES

A (1) Every purposed ordinance shall be introduced in writing and in the form required for final adoption which shall include:

- a) Title briefly describing the contents;
- b) Findings, reasons, or basis for the Ordinance, if desired and appropriate;
- c) An enacting clause;
- d) The effective date of the ordinance unless the same is to be become effective upon adoption; and
- e) Space for signature of the Mayor, Council members, and the Municipal Clerk/Treasurer attesting thereto.

(2) Except for emergency ordinances - no ordinance shall be adopted until it has been read two times and on two separate days with at least six days between each reading.

(B) Notation of amending or repealing ordinances. The Municipal Clerk shall write on the first page of every ordinance, if the same has been amended or repealed, the words "amended" or "repealed", with a reference to the original ordinance. (Introducing & passing ordinances, SC § 5-7-260 and 5-7-270).

(C) The Municipal Clerk shall enter in a well bound book, copies of all ordinances passed by the Council. The book in which ordinances are thus entered shall be indexed and kept in a secure place. (SC Code § 5-7-290)

SECTION 2 EMERGENCY ORDINANCES – EXPIRATION

Emergency ordinances, to meet public emergencies affecting life, health, safety, or the property of people, may be adopted on one reading without notice or hearing, by affirmative vote of at least two-thirds of the members of Council present, and shall be effective immediately upon adoption without regard to any reading, public hearing, Publication requirements, or public notice requirements and shall expire automatically as of the sixty-first day following the date of enactment; provided that no such ordinance shall levy taxes, grant, renew, or extend franchise or impose or change a service rate. (SC Code § 57-7-250) (d)

SECTION 3 RESOLUTIONS

Resolutions will be temporary in nature and will consist of policy matters coming before Council and may be adopted on one reading. A resolution may be passed on a motion, second, and a majority vote of the Council.

COUNCIL MEETINGS

SECTION 1 MEETINGS

- (A) Regular meetings of Council to discuss general and routine business of the town and to enact necessary ordinances and resolutions will be held in Council Chambers at Town Hall at 6:00 p.m., on the first Tuesday of each month, unless changed by a majority vote of the members of Council present at any regular or special meeting.
- (B) Special meetings of Council may be held to handle business which arises and cannot be postponed to a regular meeting at the call of the majority of the Council Members. The majority of Council Members do have to be in session to call a meeting, but they must individually notify the Town Clerk of their desire to call a special meeting.
- (C) Executive sessions closed to the public shall be held only in conformance with FOIA and prior to going into executive session, council will vote in public on the question of closing the meeting and, when the vote is favorable, the presiding officer will announce the purpose of the executive session. No formal action and no vote will be taken in executive session. (SC Code § 5-7-250a).

SECTION 2 NOTICE OF MEETINGS

The Town Clerk will give notice of all council meetings to members of Council, the news media and the public. The notice will include time, date, place, and agenda of all public meetings. Written notice will be posted at Town Hall not later than 24 hours before the meeting.

SECTION 3 PRESIDING OFFICER - PRESENCE OF QUORUM

Immediately at the hour appointed for being, the Mayor shall take Chair, and., if a quorum be present, shall proceed to business, in the absence of the Mayor, the Mayor pro tempore assumes the role of the presiding officer, if both the Mayor and the Mayor pro tempore are absent, and a quorum is present , Council will elect by majority vote a Council member to preside at the meeting.

- (A) To transact business, a quorum of Council must be present at the meeting. A majority of the total membership of the Council shall constitute a quorum.

SECTION 4 VOTING

(A) All actions of Council shall be majority of members present at public meeting. Every member of Council present shall vote on every question except when required to refrain from voting by state law. The vote on every question shall be by voice vote or show of hands unless a two third majority is required in which event the vote shall be roll call. Votes shall be recorded in the Council meetings by the Town Clerk. Any member may have their reasons for voting for against any measure recorded in the minutes.

(B) The Mayor, unless otherwise prohibited by law or excused by Council, shall vote on any matter before Council.

SECTION 5 MINUTES (REVISED 10-6-15)

(A) The Town Clerk will be responsible for recording and safeguarding minutes of every Council meeting. The minutes will include the following:

- 1) Name of town, date, place, and time of meeting.
- 2) Type of meeting (regular, special, public hearing).
- 3) List of members present, absent, and whether or not a quorum was present.
- 4) Disposition of the minutes of the previous meeting.
- 5) All main motions, whether adopted or defeated. (A motion that was withdrawn should be recorded)
- 6) Name of motion movers (names of record may or not be recorded.)
- 7) Points of order and appeals, whether sustained or lost.
- 8) Summarized reports of committees, boards, etc., shall be entered unless written reports are appended.

- 9) All appointments of committees, boards, etc. will be reported.
- 10) All resolutions, ordinances, official communications, technical papers, etc., will be entered in full or appended.
- 11) When a county has been ordered, or where a vote is by ballot or roll call, the number of votes on each side or the names of the individuals Council members shall be recorded.
- 12) Other information requested by a member of Council.
- 13) Time or adjournment will be recorded.
- 14) Town Clerk's signature followed by an approval of date and verifying initials.
- 15) Must be approved by majority of Council at the next regular scheduled meeting.
 - (B) Proposed minutes will be presented to Council members as soon as possible after the meeting but no later than 24 hours prior to the next scheduled meeting.
 - (C) The minutes as approved by Council shall become the official minutes.
 - (D) All minutes of council proceedings shall be kept in a permanent book. There is no requirement to keep minutes of executive sessions. Minute books will be maintained in a safe, fireproof location.
 - (E) Electronic recording of all council meetings will be accomplished by the Town Clerk. Members of the public will be allowed to electronically record meeting.
 - (F) Council members shall refrain from publishing the proposed minutes until they are approved by Council.

SECTION 6 AGENDAS

(A) A written agenda will be prepared by the Town Clerk for each regular council meeting. The Mayor will review the agenda before it is finally typed. A tentative Copy of the agenda will be sent to each Council Member seven (7) days before the next meeting.

(B) The agenda will be finalized/typed/posted no later than 24 hours prior to regular Council meetings or by close of business the day before the meeting.

(C) The final typed agenda for each regular meeting will be furnished to each Councilmember along with backup and supporting materials, ordinances, resolutions, etc., no later than the close of business the day preceding the meeting.

(D) The agenda may include a roll call, consideration of the minutes of the last meeting, approval of previous month's bills for payment, granting of business licenses, and readings on ordinances, resolutions, and consideration of other petitions, reports, and business in priority order. Each agenda item shall indicate the Council Member who requested that the item be placed on the agenda.

(E) Once an Item of business has been presented to the Council by the Public for consideration, and the item fails to pass because of the lack of a motion, the lack of a second or the failure of the item to receive the votes of a majority of the Council participating in a vote on the item, then the said item of business shall not appear on the agenda or be presented to Council for action upon it for a period of (3) three months from the date of the final action of Council on that item of business.

SECTION 7 RULES OF PROCEDURE

All parliamentary proceedings of the Council shall be governed by the current edition of Robert's Rules of Order.

When required by the Council, the Town Attorney shall attend meetings and offer advice on proceedings.

SECTION 8 COMMITTEE MEETINGS (added 9-1-15)

Mayor & Council will select committee members

Mayor & Council Set Terms

Mayor & Council must approve expenditures over \$200

EFFECTIVE DATE

This ordinance shall go into effect on and from the date enacted and all ordinances in conflict herewith are hereby repealed.

Date of First Reading _____

Melissa Emmons, Mayor

Date of Second Reading _____

Attest:

Councilman, Brad Hanley

Becky Summey, Town Clerk

Councilwoman, Dana Sloan

Councilwoman, Cristy Bradley

Councilman, Ed Smith

PUBLIC NOTICE

Pursuant to Section 6-1-80 of the S.C. Code of Laws, public notice is hereby given that Elgin Town Council will hold a public hearing on the municipal budget for the 2023-2024 fiscal year:

Date: June 6, 2023

Time: 6:00 p.m.

Location: Elgin Town Hall, 2469 Main Street

Current Fiscal Year Revenue	Projected Revenue 2023-2024	Percentage Change in Revenue	Current Fiscal Year Millage
\$1,359,905	\$1,612,836	18.59917%	27 mills

Current Fiscal Year Expenditures	Projected Expenditures 2023-2024	Percentage Change in Expenditures	Estimated Millage for 2023-2024
\$1,359,905	\$1,612,836	18.59917%	27 mills

(Estimated Millage Equals \$0 per \$1000 of Assessed Property Value)

ORDINANCE _____

LICENSING AND REGULATION OF FOOD TRUCKS, FOOD TRAILERS AND RELATED VENDORS

Section 1: Definitions:

The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- a. Food truck vendor means a person selling food from a mobile unit to include vendors in an ice cream truck.
- b. Food truck unit means a self-contained, vehicle-mounted food service unit, including ice cream trucks, that returns daily to its base of operations as approved by DHEC and is used for either the preparation or the sale of food products, or both. This does not include mopeds.
- c. Food trailer means an enclosed attached or detached trailer that is equipped with facilities for preparing, cooking, and selling various types of food products.

Section 2: Licensing of Food Truck Vendors:

- a. All food truck vendors doing business in the Town must obtain a Town business license.
- b. A food truck vendor must be eighteen (18) years of age or older.
- c. All food truck vendors selling food and/or drinks which are not prepackaged shall obtain all necessary county and state health permits before a business license will be issued and shall comply with all laws, rules and regulations regarding food handling, and all vehicles used for the sale of food shall comply with all the laws, rules and regulations respecting such vehicles as established by the State of South Carolina.
- d. The food truck vendor shall be required to secure and maintain a policy of automobile liability insurance coverage issued by a company authorized to do business in the State of South Carolina. The amounts of liability required is one million dollars (\$1,000,000.00) for injury and/or death of any person(s) in any one incident and one million dollars (\$1,000,000.00) for property damage, and the policy must list the city as an additional insured.

Section 3: Regulation of Food Truck Units and Food Trailers:

- a. No food truck units or food trailers shall be located in a residential zoned districts, except as allowed for ice cream trucks as stated herein. Food truck units and food trailers, other than ice cream trucks, can only operate on property within the zoning districts: _____

- b. No food truck unit or food trailer shall be located for business within twenty (20) feet separation from any residential use, except as allowed for ice cream trucks as stated herein. The limitation shall not apply to or within the boundaries of a Town of Elgin permitted community event.
- c. No food truck unit or food trailer shall be located for business closer than ten (10) feet from any building or structure on the licensed property or adjoining property except as allowed for ice cream trucks as stated herein.
- d. No food truck unit or food trailer shall be located closer than fifty (50) feet from flammable combustible liquid or gas storage and dispensing structures.
- e. No food truck unit or food trailer shall be located for business closer than two hundred (200) feet of a city permitted community event without the written permission of the event organizers.
- f. No food truck unit or food trailer shall be located for business within twenty (20) feet of any public right-of-way or within twenty (20) feet of the intersection of any public right-of-way and private driveway, per South Carolina Department of Transportation, except as allowed for ice cream trucks as stated herein.
- g. No signs or signage shall be permitted other than that which can be contained on the food truck or trailer or on a sandwich boards utilized to sell food or merchandise.
- h. No food truck unit or food trailer shall utilize music or other noise in the sale of goods or services, without a special permit, except as allowed for ice cream trucks as stated herein.
- i. No food truck unit or food trailer shall obstruct or cause to be obstructed the passage of any sidewalk, street avenue, alley, or any other public right of way, except as allowed for ice cream trucks as stated herein.
- j. All lighting must be permanently or semi-permanently affixed to the vending facility. No lighting shall be permitted to shine on or into any public right-of-way or other private property or cause any glare that could be considered a public hazard, or distraction to vehicular movement, neighboring business operations, or residential uses. In addition, no flashing or strobe lighting shall be permitted.
- k. All vendors shall place a 30-gallon garbage receptacle upon site of businesses for customer use. All trash must be removed from the site by the vendor. Use of city waste receptacles is prohibited. The entire area within a 25-foot radius must be maintained clean of debris.
- l. All merchandise, goods, wares, or food shall only be displayed or offered for sale from the vendor's vehicle, unless there is a permitted alternative area of sale.

- m. All food truck units or food trailers shall be equipped with at least one (1) 2A-40 BC fire extinguisher.
- n. After business activities, the vendor shall clean all debris, trash and litter generated by the vendor's business activities.
- o. No portion of the vendor's inventory, sales equipment, or any other structure or equipment used in the sales or solicitation process shall be left overnight upon any unenclosed portion of any lot or site within the Town of Elgin.
- p. All sales must be made directly from the permitted food truck unit or food trailer.
- q. Coolers associated with food trucks or food trailers may not be placed on the ground, and any tables and chairs shall be staged for the customers. Generators must be attached to the food truck or food trailer and are required to be whisper or quiet and produce no more than seventy-five (75) decibels (DB).
- r. The entire food truck or food trailer vending operation must be fully mobile.

Section 4: Regulation of Ice Cream Truck:

- a. As used herein, the term ice cream truck shall mean a motor vehicle containing a commercial freezer and from which vendor sells frozen prepackaged food products such as ice cream, frozen yogurt, frozen custard, flavored frozen water, and similar products.
- b. In addition to the requirements of this chapter pertaining to food trucks, the following operational requirements and conditions shall apply to ice cream trucks:
 - 1. Vendors from an ice cream truck shall only sell, display, or offer to sell frozen prepackaged food products such as ice cream, frozen yogurt, frozen custard, flavored frozen water, and similar products.
 - 2. Vendors from an ice cream truck shall be subject to a background check for Municipal, County, State, and National criminal history records including misdemeanor driving offenses, as part of the application and permitting process.
 - 3. No ice cream truck shall remain stationary on a public street or right-of-way more than thirty (30) minutes in any one (1) location while conducting business, after which time the vendor must move the ice cream truck at least one (1) block or five hundred (500) feet, whichever is greater, and shall not return to the same block or location within the same day. No ice cream truck will be allowed on public streets before 9:00 a.m. or after 9:00 p.m.

4. Each ice cream truck shall have available and maintain a litter receptacle for the use of patrons. Excessive litter caused by product packaging may result in revocation of the vendor license.
5. Each ice cream truck must be equipped with flashing front and rear warning lights, which the vendor shall flash alternately, and shall be flashing when the ice cream truck is stopped for the purpose of selling frozen products.
6. Each ice cream truck shall be equipped with signs stating "WATCH FOR CHILDREN" located on the front, back and both sides of the vehicle, in at least four-inch letters.
7. No ice cream truck shall be stopped or positioned in manner that exposes customers to vehicular traffic, or otherwise in an unsafe manner. Vendors must immediately comply with any directive by a police officer.
8. No non-food novelty items, such as noisemakers, or toys, shall be sold or distributed from an ice cream truck.
9. No ice cream truck, or its vendor, shall sound any device which produces an offensive or loud noise to attract customers. The use of a public address system from an ice cream truck is prohibited. A bell or musical recording may be sounded from an ice cream truck for a period not to exceed three (3) minutes to announce the arrival of the vehicle at each location.

Section 5: Vending Permit Application Process and Fees:

The city business license staff will review applications for completion and no applications will be accepted unless deemed complete. All procedures for obtaining a business license will be followed for applications and enforcement of food truck and food trailer vending permits.

- a. All food trucks and food trailer vendors must submit the appropriate food vendor program fee as outlined in this chapter.
- b. The business license fee is a separate fee and cannot be refunded.
- c. The permitting fee for each food truck or food trailer shall be two hundred dollars (\$200.00) annually.
- d. Fees are subject to change with Town Council approval.

Section 6: Parking, Allowable Vehicles and Designated Areas:

- a. Allowable vehicles include trucks and trailers for parking spaces in which service is provided to customers through the side of the vehicle at the sidewalk only.
- b. Food trucks or food trailers must be sized to fit into the parking spaces.
- c. Vending at designated public food trucks or food trailer zones will be allowed at the times listed. No vending operations shall take place outside the hours noted.

Sunday: 8:00am-10:00pm

Monday-Thursday: 8:00am-10:00pm

Friday: 8:00am-10:00pm

Saturday: 8:00am-10:00pm

- d. Food trucks or food trailers on private property. A written agreement from the property owner/manager regarding the time(s) and location of use of the premises must be provided with the application.
- e. If any area is closed for an emergency or other permitted activity, no food truck vendors will be allowed to set up. Areas will be monitored for compliance and any violation could result in a permit being suspended or revoked. The city's parking management company will notify permitted participants of any planned special event that would close the area.

Section 7: Violations, Suspensions/Revocations:

The Mayor may suspend or revoke any permitted participant if:

- a. The conditions under which the food truck/trailer is being operated or maintained is detrimental to the public health, welfare or materially injurious to property or improvements in the vicinity, and the vendor fails to correct such conditions after notification by a city official;
- b. The use is operated in violation of the conditions permitted;
- c. A repeated violation of applicable law;
- d. A vendor is found to be discharging pollutants including waste/grease, liquids wastes, gray water garbage/debris, and other materials are discharged to the city's storm drainage;
- e. All violators will be subject to a fine of one hundred dollars (\$100.00) and suspension/revocation of permit.

Section 8: Renewal Process:

Food truck permits expire on December 31 of each calendar year, and must be renewed annually, subject to administrative review, modification (if necessary) and approval.

Date of First Reading _____
Melissa Emmons, Mayor

Date of Second Reading _____

Attest: Councilman, Brad Hanley

Becky Summey, Town Clerk Councilwoman, Dana Sloan

Councilwoman, Cristy Bradley

Councilman, Ed Smith