

**MINUTES**  
**Town of Lexington**  
*Executive Session and*  
**COUNCIL WORK SESSION**

January 23, 2017

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Town Council held a Council Work Session on January 23, 2017 at 111 Maiden Lane, Lexington, South Carolina preceded by an Executive Session. The meetings were attended by: Mayor Steve MacDougall, Council Members Kathy Maness, Ted Stambolitis, Todd Carnes, Ron Williams, and Steve Baker. Mayor Pro-Tem Hazel Livingston was absent and Councilmember Maness left following the Executive Session.

Staff members present were: Town Administrator Britt Poole, Assistant Town Administrator Stuart Ford, Town Prosecutor Cliff Koon, Transportation Director Randy Edwards, Police Chief Terrence Green, Planning, Building and Technology Director John Hanson, Economic Development Johnny Jeffcoat, Utilities and Engineering Director Allen Lutz, Finance Director Kathy Roberts, Parks and Sanitation Director Dan Walker, Parks and Sanitation Assistant Director Johnny Dillard, Special Projects Manager Wesley Crosby, Events and Media Coordinator Jennifer Dowden, Downtown Venue Promoter Walker Brewer, Assistant Municipal Clerk Karen Hanner, and Municipal Clerk Becky Hildebrand.

There were fifteen (15) Boy Scouts and eight (8) citizens present and no members of the news media were present.

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**CALL TO ORDER:** Mayor MacDougall welcomed everyone to the Council Work Session. He apologized for the late start of the meeting. He read an opening statement to explain the procedures of a Council Work Session which stated: *“Work Sessions are less formal business meetings that enable Council to obtain and discuss information regarding Town issues from Staff members and/or consultants. Like Regular Council Meetings, citizens are encouraged to attend and observe Work Sessions; however, they do not include Public Hearings, but do allow for public comment at the end of the Work Session unless otherwise called on by Council. Council does not take an action vote on items during a Work Session other than to vote to place an item on Council’s next Regular Council Meeting agenda for consideration and an official vote. Council Work Sessions are not tape recorded, but Minutes are taken and posted on the Town’s web page following approval of Council.”*

Councilmember Baker gave the invocation. Mayor MacDougall called on Boy Scout Troop # 221 from Mt. Horeb United Methodist Church to lead in the Pledge of Allegiance. Mayor MacDougall called the Council Work Session to order at 6:28 p.m.

**EXECUTIVE SESSION REPORT**

Mayor MacDougall reported that the *Executive Session* was called to order at 5:30 p.m. after a motion was made by Councilmember Maness and seconded by Councilmember

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Baker to go into *Executive Session*. The motion was unanimously carried by all those present (4). (Councilmembers Stambolitis and Williams were absent for the vote.) Council adjourned from *Executive Session* at 6:22 p.m. after a motion was made by Councilmember Maness and seconded by Councilmember Stambolitis. The motion was unanimously carried by all those present (6). Mayor MacDougall reported that pursuant to SC Code §30-4-70(a) (1) and (2), Council met in *Executive Session* to discuss: one legal matter regarding an update on pending water and sewer litigation; three contractual issues regarding contractual services, donations, and sale of Town property; and one routine personnel item. No vote was taken. A motion was made by Councilmember Williams and seconded by Councilmember Carnes to ratify Mayor MacDougall's *Executive Session* report. The motion was unanimously carried by all those present (5).

**ADDITIONS/DELETIONS TO AGENDA:** None.

**APPROVAL OF MINUTES:** A motion was made by Councilmember Baker and seconded by Councilmember Stambolitis to approve the Minutes from Council's Regular meeting held on January 3, 2017. The motion to approve the minutes was unanimously carried by all those present (5).

**PRESENTATIONS**

1. **Mr. Otis Rawl, President/CEO Greater Lexington Chamber and Visitors Center:** Mr. Rawl thanked the Mayor, Council, and Staff for all their support for the Lexington Chamber and Visitors Center. He wished to update Council on two items: the Beer Fest and the Chamber's web page. (1) He stated that the Beer Fest in October was the first event held at the Icehouse Amphitheater which was attended by approximately 1,200 people. He estimated that 825 tickets were sold and the other tickets were for giveaways and groups that were invited including the Town and other Chambers. He attributed the success of the event to the Town finishing the amphitheater, good media coverage, a press conference and great weather. Mr. Rawl added that on-line ticket sales were to zip codes as close as Lexington (268) and as far away as New York (26). Other cities were Columbia, West Columbia, Orangeburg, Irmo, Aiken, Anderson and many more. He stated that two downtown restaurants had the best nights ever due to people being in downtown Lexington. He thanked Staff (Town and Chamber) for bending over backwards to help make the event a great success. (2) Mr. Rawl stated that when he started the job 11 months ago, the Chamber did not have an interactive web site and all the businesses who pay Accommodations Tax were not listed. He announced that the new web sites for the Chamber, and one for the Visitors Center, should go live by the end of February after they do a soft launch in early February. He added that the Chamber has hired a full time person to manage the web sites which will include information/events for Lexington County including businesses that are not Chamber members if they pay Accommodations Tax or wish to enhance their advertisement by paying a fee to be on the web site. He hopes it will be a more comprehensive web site which will also include a video capability, more interactive screens with maps which can be printed or sent to a phone. Mr. Rawl stated the

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Chamber hopes to be self-sufficient by next year by not using any Accommodations Tax received from the Town for operational costs for the Visitors Center. They prefer to use the funds to promote events, help the Town put on events, and help promote Lexington as a destination all in an effort to help the bottom line of all businesses in Lexington by spending locally.

Mr. Rawl commented on several non-related issues: traffic, municipal business license, school taxes for small businesses, and signage. He thanked Town Staff for the many times they have attended Chamber meetings to explain Town policies. He requested that Council consider changing the policy regarding wrapped signage on vehicles. He stated that it causes a problem for businesses when they cannot advertise beyond their business location. A lady that was attending a business network meeting at the Chamber was issued a ticket for parking her wrapped vehicle in the right of way across the street. He asked Council to consider setting a limitation on wrapped vehicles to possibly allow smaller vehicles, not 18 wheelers, to have wrapped vehicles which could be parked near their buildings. Mr. Rawl concluded by thanking the Town for their support in partnering with the Chamber. He added that he has worked with many towns and the Town of Lexington is second to none.

2. **Mr. Phillip Webber and Ms. Emily Bentley, Sewer Service at 143 Lake Village:** Mr. Webber explained his frustration regarding the Town sewer system and the on-going problems and damage at his residence. He stated that he moved here in 2012. He commended Mr. Lutz and the Utilities Staff for being prompt, amiable and helpful each time he called, at all hours and weekends, to report another overflow or near overflow. He stated that every time there is a heavy rain they must be vigilant to monitor their system to make sure it does not overflow into the household. Mr. Webber stated that Town Staff has pumped out the sewage system tank because of problems with the Town's system. He added that they have a sewer system pump rated at more than adequate but it cannot pump pressure or back-pressure present in the Town's system. He and other residents have had the Town connect a tank truck to the line in the neighborhood to relieve pressure in the system which helps for a while. Mr. Webber stated that the on-going sewage back up has caused interior and personal property damage. He requested that the Town identify and quickly implement an upgraded system in order to fulfill their obligations to customers who pay monthly fees for a sewer system that works. He presented a letter, pictures and a copy of Ms. Bentley's letter to Council requesting that they be informed of what plan the Town will take moving forward to stop this situation. (Copies attached.)

**Ms. Emily Bentley**, 143 Lake Village, stated that they are not the only residents with this problem because others in the Lake Village have experienced the same issues. She stated that they pay their monthly fee to the Town but they want a reliable system so if they leave town they will not have to worry about their home if it rains. She asked what the Town could do to fix the problem.

Mayor MacDougall responded that the Town has a plan already in place. He added that Mr. Lutz has an RFP out now requesting repair work in the amount of \$1.7

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Million for this and a larger area. Mr. Lutz confirmed that the repair work will include manholes, smoke testing, etc. He stated that there is increased pressure on the line with small pumps. Mayor MacDougall confirmed that the problem will be identified and corrected.

**BUSINESS ITEMS:** (For Discussion and Recommendation for Council’s February 6, 2017 Regular Council Meeting.)

1. **Pilgrim Point Streetlights – Finance Director Kathy Roberts:** Historically the Town has paid a portion of the street light bill for Pilgrim Point subdivision residents. In accordance with the Town’s Residential Street Light Ordinance, the Pilgrim Point Homeowner’s Association requested that the Town again pay a pro rata share of their streetlight bill. (Request letter attached.) There are 48 lots in Pilgrim Point and the Town Ordinance stated that the Town would be responsible for one (1) street light per six (6) lots, which equals eight (8) lights. The total requested is \$1,669 (17.39 x 8 x 12). Funds would come from Transportation Budget, account #100-5-665-520.

Mayor MacDougall stated that it warranted an explanation as to why the Town has paid this in the past. Town Administrator Poole explained that this is done for most of the roads in Town because they are public roads. He added that Pilgrim Point is an in-town gated community, therefore, the Town Ordinance allows for partial payment of street lights on private roads. He stated that this is the only neighborhood that meets that criteria at this time and they are obligated to make a request for payment each year.

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A motion was made by Councilmember Stambolitis and seconded by Councilmember Williams to place the request on Council’s February 6, 2017 agenda for consideration. The motion was unanimously carried by all those present (5).

3. **Mid-Year Budget Adjustment – Finance Director Kathy Roberts:** The following budget adjustment was requested for the current year. No increase in appropriations occurs as a result of this change.

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(1) Increase PB&T Operating Expense (Maintenance – new flooring)	\$ 18,000
(2) Decrease Capital Outlay (Chiller came in under budget)	(\$18,000)
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A motion was made by Councilmember Williams and seconded by Councilmember Baker to place the item on Council’s February 6, 2017 agenda for consideration. Mr. Hanson confirmed that the carpet next to

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the conference center, the Police Chief's office, and the Police Department's conference room carpet would be replaced. Town Administrator Poole commended Mr. Hanson for saving the Town \$18,000. The motion was unanimously carried by all those present (5).

3. **Relocation of Town's 24" Force Main at Rainbow Drive – Utilities/Engineering Director Allen Lutz:** SCDOT is replacing the bridge at Rainbow Drive over I-26 near Springdale. It was recently discovered that the Town's 24" force main to Cayce is in conflict with the bridge straps. The Town was first directed by SCDOT to relocate the line away from the bridge site, but the Town found a solution that will not require a relocation by leaving the line in place and installing pipe restraints so that the thrust block located near the bridge can be removed. The cost to restrain the line will be approximately \$120,000 instead of the \$500,000 to \$600,000 estimated cost to relocate the line. The contractor has moved his work to the Leaphart Road bridge site giving the Town about four (4) months to complete the work. The Town can reallocate unexpended easement acquisition funds (\$200,000) in the CIP budget for this work. The Town will not be obtaining additional easements this year.

A motion was made by Councilmember Williams and seconded by Councilmember Stambolitis to place the item on Council's February 6, 2017 agenda for approval to reallocate unexpended easement acquisition funds within CIP as stated for installation of pipe restraints. Mayor MacDougall commended Staff for finding this solution. Town Administrator Poole commended Mr. Lutz for saving the Town \$480,000. The motion was unanimously carried by all those present (5).

4. **Proposed Change of Household Garbage Collection Schedule – Parks and Sanitation Director Dan Walker:** Advanced Disposal requested that the Town change trash collection back to five days each week instead of only on Tuesday. Per the Town's contract, it is the contractor's responsibility for all notifications to the public of any schedule changes.

Mr. Walker introduced Eric Sankey, Area General Manager for Advanced Disposal, who was available for questions.

A motion was made by Councilmember Stambolitis and seconded by Councilmember Carnes to place the item on Council's February 6, 2017 agenda for consideration. Councilmember Williams asked how the new schedule would work and if it included recycling. Mr. Walker explained that it would be like before and there would be less trucks in Town at a time. He added that recycle would be picked up the same day as trash, but every other week. Mr. Sankey added that the Town would be divided into five areas. He added that when the route is for five days they can resolve problems faster. He stated that they also now have two supervisors who help educate the drivers. Mr. Sankey stated that he has

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been in Lexington since September but has been in the business for 25 years. His daughters attend River Bluff High School and his family was happy to come to an area with warmer weather. Mayor MacDougall welcomed Mr. Sankey to Lexington and added that he hoped he would stay for a long time. He hoped by changing to five days would reduce problems because trash pick-up issues are the number one reason Council receives calls. He asked how long before the change could take place. Mr. Sankey responded that they were working on it with the Town, Lexington County, and Irmo. He stated that they would present it to Advanced Disposal on the 30<sup>th</sup> and hopefully notify customers during the first week of March. Councilmember Williams explained a situation in his neighborhood where the trucks stopped school buses in order to pick up the trash on the opposite side of the road. He added that a truck also ran off the curb and broke a sprinkler. Councilmember Williams stated that when Staff from the Parks and Sanitation Department have to field complaints, it costs the Town additional money. The motion was unanimously carried by all those present (5).

**FOR YOUR INFORMATION**

1. **Emergency Procurements Fourth Quarter 2016 – Finance Director Kathy Roberts:** A summary of emergency purchases made in the fourth quarter of 2016 was provided to Council. Council was asked to accept the summary as information and direct it to be recorded in the Minutes of this Work Session. (Copy attached.)

**COUNCIL/STAFF COMMENTS**

**Councilmember Carnes**, stated that in reference to Mr. Rawl's Chamber presentation, he would like to request that Municipal Attorney Cunningham; Planning, Building and Technology Director Hanson, and Mr. Rawl get together and draft an ordinance regarding car wraps and bring it back to Council's next Work Session. He added that one year ago he brought this up and it was shot down because of big box trucks. He stated that they need to find a solution to cap that issue.

Town Administrator Poole stated that since the request falls under the Town's Sign Ordinance, it would also have to go before the Planning Commission for a recommendation to Council. He added that Council could have a First Reading in February, followed by a recommendation after the Planning Commission meeting.

**Councilmember Baker** stated that he agreed with Councilmember Carnes and he would like to be part of the discussion to come up with an option to do something.

**PUBLIC COMMENTS:** None.

**QUESTIONS FROM THE NEWS MEDIA:** None.

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**ADJOURNMENT:** There being no further comments or questions, a motion was made by Councilmember Stambolitis and seconded by Councilmember Carnes to adjourn the Council's Work Session at 7:13 p.m. The motion was unanimously carried by all those present (5).

Respectfully submitted,

Becky P. Hildebrand, CMC  
Municipal Clerk

APPROVED:

Steve MacDougall  
Mayor

*FOIA COMPLIANCE – Public notification of this meeting was published, posted and mailed in compliance with the Freedom of Information Act and the Town of Lexington requirements.*