

MINUTES
Town of Lexington
Executive Session and
Council Work Session

March 18, 2019

Town Council held an Executive Session followed by a Work Session on March 18, 2019 at 6:00 p.m. in the Eli Mack Sr. Room located at 111 Maiden Lane, Lexington, South Carolina. The meetings were attended by: Mayor Steve MacDougall, Mayor Pro-Tem Hazel Livingston, Councilmembers Kathy Maness, Todd Carnes, Ron Williams, Steve Baker, and Todd Lyle.

Staff members present were: Town Administrator Britt Poole, Assistant Town Administrator Stuart Ford, Municipal Attorney Brad Cunningham, Transportation Administrative Assistant Laura Haney, Finance Director Kathy Pharr, Police Chief Terrence Green, Planning, Building and Technology Director John Hanson, Assistant Zoning Administrator Jessica Lybrand, Economic Development Johnny Jeffcoat, Utilities Director Allen Lutz, Parks and Sanitation Director Dan Walker, Parks and Sanitation Assistant Director Johnny Dillard, Events and Media Coordinator Jennifer Dowden, Downtown Venue Promoter Walker Brewer, Special Projects Manager Wesley Crosby and Assistant Municipal Clerk Karen Hanner.

There were three citizens present and no members of the news media were present.

OPENING STATEMENT

Mayor MacDougall welcomed everyone to the Council Work Session. 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 taped for use by the Municipal Clerk only and Minutes are taken and posted on the Town’s web page following approval of Council.”*

INVOCATION, PLEDGE AND CALL TO ORDER

Councilmember Carnes gave the invocation. Mayor MacDougall led in the Pledge of Allegiance and called the Council Work Session to order at 6:01 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 Mayor Pro-Tem Livingston and seconded by Councilmember Maness to go into *Executive Session*. The motion was unanimously carried by all those present. Council adjourned from *Executive Session* at 5:50 p.m. after a motion was made by Councilmember Williams and seconded by Councilmember Maness. The motion was unanimously carried. Mayor MacDougall reported that pursuant to SC Code §30-4-70(a) (1) and (2), Council met in *Executive Session* to discuss: two legal issues regarding pending litigation and advice regarding agenda items; two contractual items regarding a downtown economic development issue and a sewer contract; and a personnel item related to a Boards and Commissions appointment. No vote was taken. A motion was made by Mayor Pro-Tem Livingston and seconded by Councilmember Williams to ratify the Mayor's report. The motion was unanimously carried by all those present.

DELETIONS ON AGENDA: There were no deletions made to the agenda.

BUSINESS ITEMS: (For Discussion and Recommendation for Council's April 1, 2018 Regular Council Meeting.)

1. **Donation of Property at 1420 Old Cherokee Road – Special Projects Manager Wesley:** Councilmember Maness requested a discussion regarding the potential donation of a property located at 1420 Old Cherokee Road. The property consists of a home, outbuildings and four acres of land. Attachments include a letter from the property owner, Mr. Michael Harmon, an aerial photo and a tax map.

Councilmember Maness asked if the property was discussed by the Historic Preservation Committee. Mr. Crosby confirmed that it was. He said Mr. Harmon told them he would like to see the house preserved and left to the Town after he dies to be used as a museum or education center. The house was constructed in 1850 and has been passed down through his family.

Mayor Pro-Tem Livingston asked if the Town would have any obligations until Mr. Harmon passed away. Mr. Crosby said there was some discussion about that and he believed Mr. Harmon would like to get some help with the maintenance of the house but he didn't ask for specific financial help. Mayor Pro-Tem Livingston said that wasn't done with the Boozer property donation.

Councilmember Lyle stated he had a concern that if it was pledged by a Will to the Town, it could be changed during his lifetime. Municipal Attorney Cunningham commented that for the Boozer house a Deed was given with a Reserved Life Estate. He added that could work, but it appears he is inviting the Town to take care of his house while he is alive.

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Town Administrator Poole noted the house is outside of Town limits. Mayor Pro-Tem Livingston stated it could be inside in twenty years. Mayor MacDougall added in is inside the future land use plans.

Mr. Chuck Corley of 121 Berly Street in Lexington stated Mr. Mike Harmon approached him about the property. He reported Mr. Harmon is the last one in their family living on the site after his sister died and his nephew sold some property. Mr. Corley noted the home is antebellum and the Native American Trail of Tears runs across this property. He said Mr. Harmon would like to use the property for education as the last remaining plantation just a mile or so from the Town for the Boy and Girl Scouts or some other type of training. Mr. Corley added the house is sound and recently painted with a new roof and a heating and air system that is three or four years old. He stated that Mr. Harmon has done work to it and is concerned that the house would one day be bulldozed down if it is not taken care of right now. He added he doesn't know the details of what Mr. Harmon wants the Town to keep up. Mr. Corley asked where else in the world is someone going to give you a property like this. He added that if Mr. Harmon wanted to sell it, some historic group would probably buy it but he wants it to continue with someone in Lexington owning it. Mr. Corley said he thinks this is something all could benefit from and it is a beautiful place with lots of outbuildings. He added Mr. Harmon just wants the place saved for the Town of Lexington and everyone.

Mayor Pro-Tem Livingston stated she would like Mr. Poole, Mr. Cunningham and Mr. Crosby to meet with him to see if there is something we could do and what they could come up with to be workable for everybody. She added it is not in the Town now but it is close. She was not sure how much she is willing to invest in it as long as Mr. Harmon is living there, but she is interested in seeing if we could work out something. Mayor Pro-Tem Livingston stated she is interested in it because this is an opportunity. The expansion of Virginia Hylton Park is going on in part because of the donation of the Boozer property. She continued that we have been given an opportunity and we need to take it and see if something could be worked out to do this.

Councilmember Maness asked Mr. Corley what he believes Mr. Harmon wants from the Town right now while he is still living. Mr. Corley responded he thinks Mr. Harmon wants the peace of mind in knowing that home is going to be where it is at forever. It is on the National Register of Historic Places as a stand-alone property. Councilmember Maness confirmed he wants to make sure this property is taken care of when he dies. Mr. Corley stated more than that, he wants the children of the Town to see what life was like in 1850. He added it is a unique opportunity close to the Town.

Mayor MacDougall stated it was worth having a conversation and asked if everyone was amenable to asking Staff to look into it some more.

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Councilmember Williams asked about the liability of taking the property while Mr. Harmon was still living there. Mr. Poole responded that if Council wants to go in that direction, something would need to be structured so it didn't allow liability.

Mayor Pro-Tem Livingston asked if it could be done in a similar way as the Boozer property. Mr. Poole agreed that would be his recommendation.

Councilmember Carnes asked about limitations due it to being on the National Register. Mr. Corley said that protects the property from highway encroachment or from a government entity.

Mayor MacDougall asked about the trail running across the property. Mr. Corley said where you can see it is a portion on a dirt road on the nephew's property. He added he would ask Mr. Harmon to talk to his nephew about getting that piece.

Mayor MacDougall asked Staff to move forward with those conversations. He thanked Mr. Corley for coming this evening.

2. **Midlands Rivers Coalition Funding – Director of Utilities Allen Lutz:** The Town of Lexington became a member of the Midlands Rivers Coalition in 2016, conducting sampling of the Saluda, Broad and Congaree Rivers to ensure public safety with the water quality. The Town is now entering the third year of activities and will be installing signage at 21 locations along the rivers. These will be advising the public to either tell about a problem or advise them to go to the website to find out about the water quality after each sampling period on the website: www.howmyscrivers.org. Sampling will occur weekly from May until the end of September. The Town will be responsible for controlling a dynamic sign at the Hope Ferry Landing in the case of an advisory due to high bacteria levels. The Town was asked to pledge monies again this year to continue the functions of the Coalition in the amount of \$2,500. The Central Midlands Council of Governments will still be controlling the funds for the Coalition. Mr. Lutz directed attention to samples of the signage in the packet.

Mayor MacDougall noted the landing has been named the J. D Barker Landing.

Councilmember Baker made a motion to add the request to the April 1, 2019 Council Meeting Agenda. Councilmember Williams seconded the motion. There was no further discussion. The vote was unanimous in favor.

3. **Discussion of Green Space Requirements for Residential Developments – Director of Planning, Building and Technology John Hanson:** During the last regular Council Meeting Councilmember Carnes requested a discussion of

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the open space recreation requirements for new subdivisions. Attached are the current requirements and a table showing how some recent developments have met the requirements.

Councilmember Carnes stated he talked to Director Hanson about this regarding a project on Cherokee Trail. He felt it should be discussed since that was a scenario where the Town relied on the good will of the developer and he felt it wasn't sewn up tight enough to make the right requirements in the active open green space areas. Director Hanson noted that project was permitted in the County.

Councilmember Carnes said the Town has a requirement for green space and a requirement for active open green space. He asked if the open space includes detention and retention ponds. Director Hanson responded that detention and retention ponds have been allowed to count towards green space, but not meet active space requirements although in some situations a walking trail around the detention pond would count. If plans are permitted in the Town, it is presented to the Planning Commission which has the authority to decide if a plan meets the intent of the requirement, which allows the developer to come up with creative ideas. He continued that if a walking trail is planned, some form of improvement is expected. He offered the example of Gibson Villas which is a small patio home development intended to be marketed to retirees. They planned a walking trail which seemed to be appropriate given their intended clients. He added the plan for Caughman Farm Road has a swimming pool and a walking trail. Director Hanson said issues arose from plans the Town had no control over. He continued that detention or retention ponds may be taken over by the County and fenced as required infrastructure, but not as an amenity.

Councilmember Carnes asked about PR2 developments requiring a certain percentage of green space and active green space. Director Hanson clarified that the ordinance is written so that what is built dictates how much green space is required. Most of what is being built now is cluster development requiring 20% of the total area as green space and half of that to be active green space. Councilmember Carnes confirmed green space within the subdivision is owned by the Homeowners Association and they are looking at 10% active green space in all approved subdivisions. Administrator Poole commented that developments permitted in the County usually meet that requirement. He added that neighborhoods with a large number of homes typically include a pool. Mayor MacDougall added that most developers realize if the subdivision doesn't have a pool, they won't sell their houses. Administrator Poole noted the ones they see with an issue are typically patio homes with a small unit count which couldn't justify having a pool due to the cost of the upkeep. They try to figure out ways to meet the requirement for active open space for a small development.

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Councilmember Lyle commented that he hears feedback from citizens about the higher density development and traffic issues and they want a lower density.

Councilmember Carnes noted the Sterling Bridge development shows the acreage but the green space and active space are shown as unknown. Director Hanson commented he doesn't have those calculations as this was permitted in the County and they don't break down the amount of green space and active green space.

Councilmember Lyle asked what can be done to prevent a back door to the process. Administrator Poole responded it seems there is a perception of a desire to do that but that is not really what happens. If a project is close and could be annexed, the Town works with that developer to have plans approved by staff. He noted the example of Madison Park on US 378. They came in and worked with the Town. He noted the Barr Pond development was another example where the developer worked to obtain an easement to be able to make it in the Town. He added the Essex property on the recent agenda was out of Town but a way was found to annex an easement and get the property in the Town. Administrator Poole stated he feels there is no intent to get around Town rules, it simply takes time to be able to find a way to annex.

Councilmember Carnes stated he had a concern about the recent developments and the negotiations for widening of the primary roads to allow school buses and emergency vehicles to navigate. Administrator Poole noted the Planning Commission has a lot of authority for that and may give options such as requiring deeper setbacks to allow for driveway parking or requiring wider streets. He added the Planning Commission's enabling document is the SC Planning Act and it charges the Planning Commission with among other things, public safety, which can be used with a lot of flexibility and provides for a good negotiation and he feels they get a good product out of it. Councilmember Carnes commented that there are some scenarios where the roads were not widened and there are short setbacks so there are cars in the road and it is not good.

Planning Commission Chairman Keith Frost commented this discussion seems to be done about every five years. He stated the negotiation process works well, but there are some instances of development just outside of Town and he feels it is an opportunity for the Town to work with the County. Chairman Frost noted there have been discussions about overlays adjacent to the Town and the Comprehensive Plan presents opportunities. He added the Planning Commission has required wider roads or deeper front setbacks for parking along with traffic control measures. He stated he felt codifying everything could be burdensome. Chairman Frost said it is important to have certain standards, but the flexibility sometimes allows things you might not otherwise get.

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Councilmember Carnes asked about the establishment of the PR1 and PR2 zoning and asked if there has been a PR1 development in the last eleven years. Chairman Frost said the Brookhill Place development near Park North is PR1. He continued that there was a discussion with Mungo about Madison Park regarding the cost to move to PR1. Chairman Frost said they calculated that PR1 would add an additional \$3,500 per lot, which didn't seem like a significant burden, but developers are making as much use of a property as they can to make it profitable. He added it came as a PR2 subdivision but they worked with the developer to get wider roads and things that were needed to improve safety.

Councilmember Carnes noted there was one PR1 subdivision in the last ten years and it looks like there are two categories but seen to function with one so why not have one designation with a minimum standard. Director Hanson commented the PR1 is necessary when annexing property already developed to maintain it as PR1. Chairman Frost added market demand has almost eliminated the PR1 development with larger homes and smaller lots. Administrator Poole offered as an exception the Saluda River Club which is not in Town but has a huge mix of PR1 sized lots and very dense areas but was voted number one neighborhood in America and they are still building in there.

Councilmember Carnes stated he felt there is an issue of density and small roadways being built that is not a good long term strategy. Chairman Frost said they don't always get all that they ask for but require the main thoroughfare to a subdivision be widened. Administrator Poole added the minimum standard is the same as the County's minimum standard for road construction and buses can go through there.

Chairman Frost said they would like to have more discussion about density as the level of density impacts everything. He noted they have flexibility regarding green space and the Planning Commission is open to discussion about detention ponds specifically being in that calculation, but they would appreciate more clarity. Councilmember Carnes stated he felt it would be more valid to have a number for green space in exclusion of the detention pond. He said the PR2 with the minimums seems to have a high density for what we want to do going forward.

Mr. Earl McLeod of the Home Builders Association introduced himself and noted the desire for more green space but wider roads and increased stormwater management with larger detention ponds. He added flexibility is key in that no two tracts of land for development would be the same.

Mayor Pro-Tem Livingston stated that traffic is a problem and houses are built so close together which affects traffic. She added people buy homes in Lexington because it is a great place to live and she asked what the builders could do to help so the Town doesn't have to increase restrictions.

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Mr. McLeod commented the plan for Lexington should be to create an urban core that is walkable. Mayor Pro-Tem Livingston stated they are doing what they can do but there are large high density neighborhoods right outside the Town. She added more green space makes it better. Mr. McLeod said more green space makes it more difficult to be financially feasible with all the regulations that come into play.

Councilmember Williams noted the example of the detention pond with the walking trail in the Lexington Villas subdivision is now just dirt and asked if they are required to maintain them. Director Walker added the history of walking trails that are unpaved is they are taken over by the Homeowners Association and maintenance is just not done and interest declines. Director Hanson stated any trails in wetlands such as the ones in Dove Chase cannot have permanent infrastructure. It was approved as landscape timbers and mulch trails. Councilmember Williams said he thought if the trail counted as active green space it should be required to be maintained.

Councilmember Lyle stated building should look to the long term and he felt building something up that is that high of a density is what is propping up the market. Mr. McLeod noted that the price of land dictates the price of a home and it is a buyer's decision to invest long term in a home. Councilmember Lyle said allowing high density allows a higher profit margin which artificially props up the market value. Mr. McLeod replied that the density is not as high as requirements in Richland or Lexington County. Councilmember Lyle noted the issues of density and traffic are often brought to him by citizens. Mr. McLeod responded lower density contributes to sprawl and the requirement for vehicles. He added if done appropriately it contributes to less congestion such as the Saluda River Club. Administrator Poole commented that what is normally done from a planning standpoint is you have certain percentages of mixed density and Saluda River Club is a good example. He added you can have a high density downtown development where people walk to stores and restaurants or near the interstate so they don't drive through town.

Mayor MacDougall commented that today people want a very large house with a very small yard with one or two cars. Councilmember Carnes stated that if they were going to revisit the green space requirements to exclude detention or retention ponds with the percentage of active green space and roadway width it would be a planning issue. Administrator Poole confirmed that changes to the Zoning Ordinance would come from the Planning Commission who would propose changes to Council.

Councilmember Carnes made a motion to send a request to the Planning Commission to reconsider roadway widths, true green space requirements to the exclusion of detention and retention ponds and to revisit the overall standards of PR2 zoning in light of the explosive growth and make recommendations to Council of any adjustments that could or should be

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made in view of the last ten years. Councilmember Lyle seconded the motion. Mayor Pro-Tem Livingston commented that they should also look at green space requirements for multi-family development. Director Hanson noted the setbacks for them are huge. Mayor Pro-Tem

Livingston stated she wanted a requirement for active green space.

Councilmember Williams asked if the active green space on multi-family could be a part of the buffer. Director Hanson confirmed there could be passive uses in the buffer like playgrounds. The vote was unanimous in favor.

4. **Discussion of the Chamber of Commerce's Proposed Changes to the Sign Ordinance - Director of Planning, Building and Technology John Hanson:** In September the Town received a list of requested amendments to the sign ordinance from the Chamber of Commerce. The attached document provides context and analysis for these requests.

Councilmember Baker thanked Director Hanson and Jessica for putting together the backup information and noted in the last three years the Business Service Center has processed 338 sign permits with ten variance requests or appeals being filed and one was approved. He asked if that approval was for Firenza Pizza. Director Hanson confirmed that was correct. Administrator Poole clarified it was for each business in that building, backside signs.

Councilmember Baker noted the Supreme Court has ruled signage regulations must be content neutral. He asked about the three multiple businesses asking to be treated as commercial centers for sign purposes where the BOZA ruled they were not commercial centers. Director Hanson confirmed the three as the cell phone repair shop, Zebra Cleaners and the Frame Shop and none of the three met either definition for a commercial center. Councilmember Baker asked about the building next to the cell phone business. Director Hanson confirmed it is Family Dental. He added he has tried to work with them to offer options that are permitted by the ordinance.

Councilmember Baker asked about vehicle wraps. Administrator Poole stated they had worked with the Chamber on an interpretation for that two years ago and they have not had any ongoing issues.

Councilmember Baker referred to the section on temporary signs for contractors. Director Hanson noted they allow the signs on an active construction site and the Chamber said they don't know it is permitted unless it is in the Ordinance. Councilmember Carnes stated he has a construction site and he thinks it could be written in a vague enough manner to not be limiting. Mr. Poole stated you would need to say how many signs and how big and what duration with no reference to content. Councilmember Carnes stated it needs to be more active when building permits are issued. Director Hanson said most do it and don't ask.

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Councilmember Baker stated he agreed with Mayor Pro-Tem Livingston about the nice aesthetic nature of the way businesses in the Town look. He added his generation doesn't really shop from signs, they use their phones.

Councilmember Williams asked about the umbrella signs. Councilmember Baker stated he didn't have a problem with the Smashburger example provided. Councilmember Williams said he didn't like it with the awning. Mayor Pro-Tem Livingston agreed there should be no doubling up.

Director Hanson noted the potential conflict between the Architecture and Appearance Standards and the Zoning Ordinance. If this is allowed, it means allowing more signs.

Administrator Poole commented that one of the requests that can't be done was to be able to appeal the decision of the Board of Zoning Appeals directly to Town Council. He added state law dictates how that is done. Administrator Poole said the decision regarding moving message boards used by gas stations was to not allow them because content cannot be regulated and it was difficult to differentiate between the ones that have a better appearance and others. Director Hanson noted they were once allowed with just time, date and temperature but there were many problems with them and they were removed.

Mayor MacDougall asked everyone to go down the list of proposals and comment. Director Hanson said the requested change of purpose can't be done. He said he thinks there should be one clear definition for a commercial center. The Prohibited Signs request he felt should not be changed. Director Hanson stated he felt there should be a discussion regarding Vehicle Signs but the proposed change probably would not work. Mayor MacDougall stated he felt it already works. Councilmember Carnes asked about changes regarding gross vehicle weight. Administrator Poole stated there was no change to the Ordinance but a modification of enforcement to allow a day before taking action. Director Hanson commented they addressed Contractor Signs. Mayor Pro-Tem Livingston asked about the sign announcing Café Strudel. Administrator Poole stated it was a communication problem with the Chamber. Mayor Pro-Tem Livingston confirmed that there was a misunderstanding about the permit. Administrator Poole agreed that sign permit information can be given to the Chamber. Director Hanson continued that the Flags request should not be changed. He said the requested change for an Individual Business has the example of Discount Tire which shows the front sign, but doesn't show the side sign or road sign. Administrator Poole asked them to look at Jersey Mike's Subs on 378 with a narrow business front and a sign that looks huge, but it is actually 10% and looks large because of the shape of that building. Councilmember Carnes clarified that it is 10% of just the front. Director Hanson confirmed it is based on the wall the sign is on.

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Director Hanson stated he felt the Commercial Center recommendation can be considered and he will look into it. Administrator Poole clarified there have been situations where the front of the building faces into an outparcel and the back of the store faces the road and the Board of Zoning Appeals has approved a Variance for that location. Director Hanson commented that the changeable signage for gas stations is working and they have discussed moving message signs. Councilmember Williams added the newer signs have modules that reduce brightness at night and it could be required. Mayor Pro-Tem Livingston stated it would need a lot more study and she would want an Ordinance that has no loophole.

Director Hanson noted awning signs are a way to add more signage. He added the awning sign could count as a wall sign with one or the other, but not both. He stated he was okay with the recommendation regarding umbrella signs. Administrator Poole added that content cannot be dictated but the size of the signage on the umbrella can be limited. Mayor Pro-Tem Livingston noted new businesses are coming to Main Street and she was concerned about advertising umbrellas lining the street. Administrator Poole said the Architectural and Appearance Review Board could limit the scope of use of umbrellas. Director Hanson stated he would research it.

Director Hanson said the Chapter regarding Advertising signs will be studied. Councilmember Baker asked about billboards and Director Hanson noted there are 37 visible from in the Town limits. Mayor Pro-Tem Livingston said she still gets complaints about the billboard on US 1 because it seems to be in the Town, but it is not.

Councilmember Lyle made a motion to reduce the presentation to what was agreed upon, include the content about umbrellas and bring back to Work Session as soon as possible. Mayor Pro-Tem Livingston seconded. The vote was unanimous in favor.

5. **Icehouse Amphitheater Policy Discussion – Downtown Venue Promoter Walker Brewer:** A Councilmember requested a discussion of the Smoking Policy at the Icehouse Amphitheater.

Councilmember Maness referred to Section 6 of the Ordinance which prohibits smoking at an amphitheater and asked why smoking is allowed at the Icehouse. Councilmember Williams referred to subsection (c) which states the Town Administrator has the discretion to establish designated smoking areas. Councilmember Maness stated there is a sign at the Icehouse saying No Smoking. Administrator Poole says there is a designated smoking area. Downtown Venue Promoter Brewer stated smoking is not allowed inside the gates of the venue. When it is reported, they deal with it. During a free event the smoking area is designated in the parking lot near the dumpsters. During a paid event where re-entry is not allowed, there is an

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area designated away from the crowd. Councilmember Maness asked why people are allowed to smoke when there is a no smoking policy. She stated she was at the Fleetwood Mac concert and there was no smoking. Mayor Pro-Tem Livingston said she agreed. Mayor MacDougall suggested more aggressive announcements that it is a no smoking venue and directing smokers to the designated area. Councilmember Baker asked if a ticket had been issued. Chief Green stated no. Councilmember Maness stated she didn't think Staff should be directing people to an area where they can smoke. Councilmember Williams stated they smoke beside the bathrooms or in the food lines and he thinks they should end it. Administrator Poole noted smoking is only allowed in the parking lot and must be no closer than ten feet from the door or entrance. Councilmember Williams agreed that it should be announced as a no smoking venue and don't encourage it by designating a smoking area. Councilmember Maness stated ten feet is too close and the ordinance should be changed. Councilmember Carnes noted that would change it for every establishment in the Town. Administrator Poole stated having a designated area that is more than ten feet away and enforcing it could be a better solution. Downtown Venue Promoter Brewer suggested extending the gated area along the wall for a ticketed event and using a smoking area sign. Mayor MacDougall stated that should be better. Councilmember Maness said she didn't want it at all but that would be fine.

- 6. Farmers Market Update – Downtown Venue Promoter Walker Brewer:** Councilmember Maness requested a discussion of the upcoming Farmers Market. The updated packet is attached. The Market is moving to the Amphitheater and a new logo is being introduced for The Market at Icehouse. Mayor Pro-Tem Livingston stated she liked it, but wanted to make sure everything possible was being done to chase down the vendors. She suggested adding some music. Downtown Venue Promoter Brewer stated he was working on getting music at the Market. Mayor Pro-Tem Livingston asked about bringing the students out. Downtown Venue Promoter Brewer noted there is a cost to doing that with equipment rentals. Mayor Pro-Tem Livingston asked how everyone felt about the church's morning praise band coming to the Market. Administrator Poole commented that if you do something like that you must allow anybody who wants to come to do it. Downtown Venue Promoter Brewer commented that to promote a closer proximity, the stage area was not planned to be utilized for the Market but just the plaza area near the vendors which would encourage patrons to stay and shop longer.

Councilmember Williams asked about a possible \$250 scholarship and a Battle of the Bands. Downtown Venue Promoter Brewer said he would look at doing that. He said he was looking to have six artists agree to do three markets to span the 18 week season. They will share the event on their Facebook pages to bring their friends and family out.

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Mayor Pro-Tem Livingston asked about food vendors. Downtown Venue Promoter Brewer said he has been turned down by several since he cannot guarantee a minimum for them. Mayor Pro-Tem Livingston stated she felt he should visit local merchants like The Haven and talk about the effort to start a Market downtown to bring them in and we need their help. She said it will take work and creativity. Councilmember Maness asked if some of the food vendors could accept SNAP payments and if we could advertise that. Downtown Venue Promoter Brewer stated he can't advertise what kind of payments they will take and it may change from week to week. Administrator Poole said he looked into that and the type of payment is completely on the individual vendor, but not everybody does it.

Mayor Pro-Tem Livingston stated she likes the new logo and the Market needs more advertising including from Council and on social media. Downtown Venue Promoter Brewer stated they had over 600,000 hits on the targeted ad they did last year and they were looking at the same ad pattern for this year. They could have a new sign using the new logo. Councilmember Maness suggested putting up the signs on Thursday during the concerts. Mayor Pro-Tem Livingston asked for the vendor list to be posted every week on Facebook. Downtown Venue Promoter Brewer said he plans to post each Monday events and vendors for the following Saturday.

Mayor MacDougall stated the Market is in a new location and that becomes a brand new event. Downtown Venue Promoter Brewer stated the perceived parking will help attract attendance. Councilmember Lyle commented he understood there was not a large turnout for the market in prior years. He added it will take a collective effort to make it desirable. Councilmember Maness stated she didn't feel it was a priority in previous years and she wants Council members to go too.

Administrator Poole said some 4x8 banners on each street front would work. Councilmember Williams stated the opening day should have more activities like balloons and face painting like a family day and promote it through the school district. Mayor Pro-Tem Livingston urged the Council to reach out to people they know who craft or make food items to get in touch with Downtown Venue Promoter Brewer. Councilmember Baker asked if everyone had been to Soda City and stated we need to have something that makes it cool with a buzz. Mayor Pro-Tem Livingston suggested putting an announcement in the water bill and distributing the information to the HOA groups. Events and Media Coordinator Dowden said they have a marketing campaign plan. Downtown Venue Promoter Brewer added they have the new logo and new Facebook page with Google target ads and ads in the Free Times. Mayor Pro-Tem Livingston asked what the vendors needed to participate. Administrator Poole confirmed food vendors must have a business license and pay hospitality tax but other vendors at the Farmers Market are exempt from business licenses or fees.

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Mayor MacDougall noted some money must be invested to get it started. He confirmed that Downtown Venue Promoter Brewer has direction.

7. **Mutual Aid Agreement – Chief Terrence Green:** The Lexington Police Department is entering into a Mutual Aid Agreement with the City of North Myrtle Beach Police Department. This agreement is for Memorial Day “Bike Weekend”. The proposed agreement is attached.

Councilmember Carnes made a motion to place the item on the April 1 Council Meeting Agenda. Councilmember Baker seconded the motion. There was no further discussion. The vote was unanimous in favor.

8. **Budget Adjustment – Finance Director Kathy S. Pharr:** The Signal Foreman position has not been filled this year and the Street Foreman was not hired until mid-November saving money in the Transportation Department Personnel Budget. In order to reduce the cost of Phase II of the Computerized Signalization Project we would like to go ahead and make three capital purchases with currently available funds. The following budget adjustment was requested for the Transportation Department:

Reduce Personnel Services in Transportation	\$(64,000)
Add to Transportation Capital Outlay	
Fusion Splicer	5,000
Optical Time-Domain Reflectometer	9,000
Traffic Management Control	50,000
Net change to appropriations	\$ -0-

Councilmember Maness made a motion to place the item on the April 1 Council Meeting Agenda. Councilmember Williams seconded the motion. There was no further discussion. The vote was unanimous in favor.

9. **Social Media Position – Town Administrator Britt Poole:** Councilmember Lyle requested that Council consider a budget adjustment to allow for the hiring of a person dedicated to Social Media. A Grade 13 with a starting salary of \$44,250 is recommended if Council wished to proceed. He noted the item has been delayed so the months of employment are now two or maybe one.

Councilmember Lyle noted it was just discussed how important marketing is and he felt it was important to have someone whose sole focus would be to speak in a language more received in today’s market. He stated he felt we

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could do better at communicating and highlighting the good stuff we are doing.

Councilmember Maness asked if there was enough to do for someone to work 40 hours a week on social media. Administrator Poole responded probably not, but it could be a nearly full time job. He added there is plenty of other stuff to be done and Jennifer spends a lot of her time on rentals and could use some assistance on that. Mayor MacDougall asked if someone should be hired to do rentals. He added a new social media person would need time to get up to speed with names and what everyone does while Jennifer already has that knowledge. He noted a new person to do rentals could learn how to do that in a couple of hours and that would free Jennifer up to do what she was trained to do with media.

Mayor Pro-Tem Livingston asked if the rental position needed to be a full time. Administrator Poole responded Jennifer spends most of her time handling rentals. He added he could look at a different salary for that position. Mayor MacDougall asked if it could be an hourly employee or work as needed. Administrator Poole stated people just show up and he wouldn't recommend that.

Councilmember Baker stated he felt we need to do a better job telling our story and the sooner we can do that, the better. He added we are doing things that are proactive, but we don't broadcast it. He didn't think it would be complicated to have someone doing the rentals. Councilmember Baker said some of the content done on Social Media is lacking and pointed to tweets that are just providing a link. He offered for example the Police Department posting a notice that lines were being painted and explaining why it was being done during the day.

Councilmember Maness asked how much time Corporal Mortenson spends working on Social Media. Chief Green responded that his position is unique and when they observed he was doing Social Media while on vacation they created a backup for him. Most of his work deals with the community and that goes hand in hand with Social Media. He added they are being proactive in letting everyone know what is going on and monitoring concerns in the neighborhoods. Events and Media Coordinator Dowden agreed she has done Social Media while on vacation.

Councilmember Carnes made a recommendation to draw up a full time job description and decide how to divide up the responsibilities. He suggested adding that discussion to the next Executive Session. He asked for Public Relations, Social Media and Rental responsibilities to be quantified on an average weekly basis for hourly work.

Councilmember Baker asked what the timeline would be. Administrator Poole responded a budget adjustment would be needed to hire someone and that requires two readings. Adding a Special Council meeting could speed up

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the process to perhaps May. A position could be advertised and hired in June. He noted he added a placeholder for the possible new position in the budget. Councilmember Baker stated he would like to act now as this has been discussed. Councilmember Carnes stated he felt there should be a discussion in Executive Session to get a job description and decide who would do it. Councilmember Williams commented they could discuss the position at the next Executive Session and add an item to the Agenda to vote on it and the item could be deleted if they don't make a decision at that time. Administrator Poole stated they would compile information for the three separate job descriptions with some sort of hours estimate for Public Relations, Social Media and Rentals, for discussion at the next meeting.

Councilmember Williams made a motion to put the item on the Council Agenda for April 1. Councilmember Lyle seconded the motion. There was no further discussion. The vote was unanimous in favor.

- 10. Old Cherokee Road Widening – Town Administrator Britt Poole:** Councilmember Lyle has requested that Council consider making the widening of Old Cherokee Road a priority.

This project has been on SCDOT's five-year plan in the past, however SCDOT has revamped how they plan for projects since the raise of the gas tax and it is no longer a listed project. It is a listed project on the 2040 Long Range Transportation Plan aspiration project list. Estimated cost is approximately \$78 million. He noted that estimate is from a budget document that was done ten years ago and it could be a \$100 million project now.

Town Administrator Poole described the aspiration project list for the 2040 Transportation Plan from the COG as a prioritized list of projects of different types. He continued that this project did not make the list of widening projects, probably due to the cost of the project, so it was added to their aspiration project list.

Councilmember Lyle stated his point was to make sure, in light of the continued growth, that he wanted it shown on the record that they have said very loudly that this needs to be done.

Councilmember Williams asked if there was a ranking for work at the intersection of Old Cherokee Road and SC 6. Administrator Poole stated he didn't think it was included on the LTIP list because it had been recently improved. Councilmember Williams noted it has been discussed at Traffic Committee meetings.

Councilmember Lyle added it needs to be a concerted effort from all players. He asked if an updated study is needed to show what is going on.

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Mayor MacDougall commented there is a planned project to widen the intersection of Old Cherokee and Pilgrim Church and realign it with the road to the water plant. It was pushed by Lexington County Councilmember Hudson to SCDOT. He added the LTIP has designated projects that concern the Town and the completed project on Ginny Lane is moving cars. Mayor MacDougall stated the County is looking at Old Cherokee Road and has started a study to see what the real cost would be.

Councilmember Baker stated it seems we have our priorities in order and the LTIP is what's next. Mayor MacDougall stated it is on the Long Range aspiration list because improvements are planned for US378 and Old Cherokee runs parallel to US 378.

Councilmember Lyle said he had been there over a year and hadn't seen a document that says this is what we want to do. Part of an effective message is one that keeps updated. He added this is not just about Old Cherokee Road, but about the overall picture of continued growth and what should be done with a calculated, coordinated team effort.

Mayor MacDougall commented out of all the people in government from federal to state to county to municipal, we are the last ones that should be in the road business because we don't own them.

11. Amendment of Animal Control Ordinance – Municipal Attorney Brad Cunningham: The County amended its Animal Control Ordinance in January and the Town needs to adopt the changes so they may be enforced in the Town limits. The main changes include the following:

- **Mandatory sterilization and microchipping of animals impounded at the shelter due to violation of restraint and confinement. (Sec 10-38)**
- **Managed intake for owner surrender dogs. This allows the implementation of alternatives to immediate surrender of owned dogs by offering service referrals and surrender by appointment. (Sec 10-36c)**
- **Lexington County Animal Services will no longer accept owner surrender cats. (Sec 10-36d)**

Mayor Pro-Tem Livingston made a motion to put the item on the Council Agenda for April 1. Councilmember Williams seconded the motion. There was no further discussion. The vote was unanimous in favor.

12. SCDOT Resolution – Municipal Attorney Brad Cunningham: SCDOT asked the Town to adopt the attached Resolution dealing with relocation of utility lines in connection with the U.S 1 over I-20 Highway Improvement Plan. The Resolution exempts the utility companies from any ad valorem

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taxes for new construction of utility lines in the right of way which are being constructed as a result of the project.

Administrator Poole stated we typically sign something like this for SCDOT to do improvements. SCDOT will usually buy the right of way and the Town will move the utilities.

Councilmember Baker made a motion to put the item on the Council Agenda for April 1. Councilmember Lyle seconded the motion. There was no further discussion. The vote was unanimous in favor.

PUBLIC COMMENTS: None.

COUNCIL/STAFF COMMENTS: None.

ADJOURNMENT:

There being no objection from Council, Mayor MacDougall adjourned the Council Work Session at 9:24 p.m.

Respectfully submitted by:

Karen Hanner
Assistant Municipal Clerk

APPROVED BY:

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.