

MINUTES
Town of Lexington
Executive Session and
REGULAR COUNCIL MEETING
April 1, 2019

Town Council held an Executive Session at 5:30 p.m. followed by the Regular Council meeting at 6:30 p.m. in the Council Chambers on April 1, 2019. 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 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 Pharr, Parks and Sanitation Director Dan Walker, Assistant Parks and Sanitation Director Johnny Dillard, Events and Media Coordinator Jennifer Dowden, Digital Media Coordinator Darrell Pritchard, Assistant Municipal Clerk Karen Hanner, and Municipal Clerk Becky Hildebrand.

There were approximately twenty (20) citizens present for the Council meeting and no members of the news media were present.

INVOCATION, PLEDGE OF ALLEGIANCE AND CALL TO ORDER: Mayor MacDougall welcomed everyone to the meeting and introduced the Council Members. He called on Councilmember Carnes to give the invocation. Mayor MacDougall asked the Boy Scouts who were present to lead in the Pledge of Allegiance. Mayor MacDougall called the meeting to order at 6:44 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 Baker to go into *Executive Session*. The motion was unanimously carried. Council adjourned from *Executive Session* at 6:30 p.m. after a motion was made by Councilmember Maness and seconded by Councilmember Baker. 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; three contractual issues regarding Downtown Economic Development and two issues regarding sewer contracts; and one personnel item regarding position timing. No vote was taken. A motion was made by Councilmember Maness and seconded by Councilmember Baker to ratify the Mayor's report. The motion was unanimously carried.

DELETIONS ON AGENDA: There being no objections from Council, Mayor MacDougall requested that New Business #9 (*Social Media Position*) be deleted.

PRESENTATIONS

1. **Census 2020 Kickoff Day Proclamation – Councilmember Kathy Maness:** Councilmember Maness read a proclamation declaring April 1, 2019 as Census 2020 Kickoff Day in the Town of Lexington. (Copy attached.) She added that Council appointed the Advisory Committee to serve as the Town’s Complete Count Committee. She presented the proclamation to Ms. Doris Green, US Census Bureau.

Ms. Doris Green thanked the Mayor and Council for joining other cities across the nation on this very important day and one year from that date, citizens will receive their Census package. She encouraged everyone to complete the Census form and return it so Lexington would have the best count ever.

Councilmember Lyle thanked members of the Advisory Committee who were present.

2. **Leukemia and Lymphoma Society – Councilmember Ron William:** Councilmember Williams read a proclamation commending the 2019 Girl of the Year, Catherine Ray Tucker, and Boy of the Year, Rylan Rogers, and the 2019 Man of the Year Candidate, Mr. Troy Fite, all cancer survivors and for the roles they play as Ambassadors for the Leukemia and Lymphoma Society to bring awareness and raise funds to beat blood cancers. (Copy attached.) He presented the proclamation to Mr. Fite and Rylan Rogers.

Mr. Troy Fite thanked the Mayor and Council and introduced Rylan Rogers. He stated that the Leukemia and Lymphoma Society is one of the few organizations that puts boots on the ground to raise money for this much needed research. He thanked everyone for their support. He added that young Rylan should be out playing baseball and not be worried about cancer.

Councilmember Maness personally donated a check and challenged everyone in Lexington to give to the Leukemia and Lymphoma Society.

3. **Child Abuse Prevention Month Proclamation – Councilmember Todd Lyle:** Councilmember Lyle read a proclamation declaring April 2019 as Child Abuse Prevention Month in Lexington. He stated that the Dickerson Children’s Advocacy Center in Lexington saw over 600 new child clients in 2018 who had suffered physical abuse, sexual abuse and neglect or had been a witness to violence. He presented the proclamation to Ms. Erin Smith, Director of Development at the Dickerson Children’s Advocacy Center.

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Ms. Erin Smith thanked the Mayor and Council on behalf of the Dickerson Center for their help to bring awareness about something that is quiet and closeted due to the stigma around it. She added that one-third of victims never report their abuse and there are a number of children that need services. She hoped through this awareness they will find the information to get help so their painful experience can be healed.

VISION PLAN UPDATE

Mayor MacDougall announced upcoming events to be held at the Town's Icehouse Amphitheater including: (1) April 5th – Tartan Day South and Celtic Commotion Concert. (2) Lexington Live Spring concert series April 11th with The Embers, April 18th with Whiskey Run; April 25th with Finesse, May 2nd with The Tams, May 9th with Tokyo Joe and May 23rd with The Root Doctors. (3) April 12th Noah Guthrie Concert. (4) April 13th BBQ and Blues. (5) April 27th Kids Day. (6) May 11th Wine Walk. (7) May 17th Sister Hazel. For more information visit www.icehouseamphitheater.com.

TRAFFIC UPDATE

Mayor Pro-Tem Livingston gave the Traffic Update: (1) The Ginny Lane dual right turn lane has opened to traffic and has experienced good results. Final striping and completion of the project was expected in the next few weeks. The I-20 Exit Ramp work was delayed but was expected to be complete by June. (2) The S. Church Street sidewalk is nearly complete with only a minor utility delay at the corner of Roberts Street. (3) The March Traffic Committee meeting has been cancelled and will be rescheduled. Citizens were encouraged to call 358-7273 if they were aware of a traffic signal issue, unsafe roadway situations, or a pothole that needs repair.

PUBLIC HEARINGS

Mayor MacDougall called the Public Hearing to order and requested that those wishing to speak limit their comments to five minutes. He recused himself from the discussion of items 1 and 2 in that he is professionally employed by the principal. (Recusal form attached.) Mayor Pro-Tem Livingston read items 1 and 2.

1. **Final Reading** of an Ordinance Annexing Lexington County Tax Map #003300-04-111 located in Sterling Bridge Subdivision.
2. **Final Reading** of an Ordinance Annexing Lexington County Tax Map #003300-04-089 located in Sterling Bridge Subdivision.

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3. **Final Reading** of an Ordinance Entering into a Mutual Aid Agreement with the Kershaw County Sheriff's Office.

There being no comments, Mayor MacDougall declared the Public Hearings closed.

OLD BUSINESS

1. A motion was made by Councilmember Maness and seconded by Councilmember Baker to approve **Final Reading of an Ordinance Annexing Lexington County Tax Map #003300-04-111 located in Sterling Bridge Subdivision**. Mayor MacDougall recused himself from the discussion and vote in that he is professionally employed by the principal. The motion carried with a vote of five (6) in favor and one (1) recused (MacDougall). (Copy attached.)
2. A motion was made by Councilmember Carnes and seconded by Councilmember Maness to approve **Final Reading of an Ordinance Annexing Lexington County Tax Map #003300-04-089 located in Sterling Bridge Subdivision**. (Copy attached.) Mayor MacDougall recused himself from the discussion and vote in that he is professionally employed by the principal. Councilmember Williams asked how many homes would be built on the 32 acres. Mr. Hanson responded that they have not been given the Bonded Plat yet for the final phases, but there are 225 homes planned for the entire subdivision. He confirmed that the Council package included the numbers of 250 lots on 107 acres for all five phases. Councilmember Carnes confirmed that 250 homes was for all five phases and phase one and two are complete. The motion was carried with a vote of six (6) in favor and one (1) recused (MacDougall).
3. A motion was made by Councilmember Williams and seconded by Councilmember Maness to approve **Final Reading of an Ordinance Entering into a Mutual Aid Agreement with the Kershaw County Sheriff's Office**. (Copy attached.) The motion was unanimously carried.

NEW BUSINESS

1. **First Reading of an Ordinance Annexing Lexington County Tax Map #4300-04-181 located at 339 Cherokee Trail**: Tanner Kevin Connelly owns one (1) acre located at 339 Cherokee Trail and has petitioned to annex the property. A single family home is being constructed on the site. Properties in Town near this one are zoned Protected Residential and Cherokee Trail is classified as a Local Road. The Planning Commission will review this annexation during their April meeting to recommend a zoning and road classification for this parcel.

A motion was made by Councilmember Baker and seconded by Mayor Pro-Tem Livingston to approve First Reading of an Ordinance Annexing

Lexington County Tax Map #4300-04-181 located at 339 Cherokee Trail as stated. The motion was unanimously carried.

2. **First Reading of an Ordinance Entering into a Mutual Aid Agreement with the City of North Myrtle Beach Police Department:** 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”. (Copy of proposed agreement attached.)

A motion was made by Councilmember Lyle and seconded by Councilmember Maness to approve First Reading of an Ordinance Entering into a Mutual Aid Agreement with the City of North Myrtle Beach Police Department as stated. Councilmember Carnes asked since Council reviews Mutual Aid Agreements each year, can multiple years be done at one time. Chief Green responded that the agreements have to be updated each year in case there are changes to Council or changes in the requesting city. He added that the agreement with the City of North Myrtle Beach is a special one just for Bike Week and the agreement with Kershaw County was due to a new Sheriff being elected. Councilmember Maness stated that she would be in North Myrtle Beach at that time and she would feel much safer with the Town of Lexington Police Officers there to help. She added that last year the local news report about Bike Week showed a Town of Lexington Police car. The motion was unanimously carried.

3. **First Reading of an Ordinance for a Budget Amendment:** The following budget adjustment was requested for the Transportation Department:

Reduce Personal 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-

A motion was made by Mayor Pro-Tem Livingston and seconded by Councilmember Williams to approve First Reading of an Ordinance for a budget amendment as stated. The motion was unanimously carried.

4. **First Reading of an Ordinance Amending the Animal Control Ordinance:** Lexington 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: (Copy attached.)

- Mandatory Sterilization and microchipping of animals impounded at the shelter due to violation of restraint and confinement. (Sec 10-38)

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- 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)

A motion was made by Councilmember Carnes and seconded by Councilmember Williams for First Reading of an Ordinance Amending the Animal Control Ordinance as stated. The motion was unanimously carried.

5. **First Reading of an Ordinance Approving Purchase of Property in Town, Parcel One:** The Town has reached an agreement in principal to purchase a parcel of property within the Town limits. In accordance with the Freedom of Information Act, the property and terms will be identified once the Deed has been executed.

A motion was made by Councilmember Maness and seconded by Councilmember Baker to approve First Reading of an Ordinance Approving Purchase of Property in Town, Parcel One as stated. The motion was unanimously carried.

6. **First Reading of an Ordinance Approving Purchase of Property in Town, Parcel Two:** The Town has reached an agreement in principal to purchase a parcel of property within the Town limits. In accordance with the Freedom of Information Act, the property and terms will be identified once the Deed has been executed.

A motion was made by Councilmember Williams and seconded by Councilmember Lyle to approve First Reading of an Ordinance Approving Purchase of Property in Town, Parcel Two as stated. Councilmember Williams asked when the information would be available for the public. Mr. Poole responded that he expected it to be the second week of May. The motion was unanimously carried.

7. **South Carolina Department of Transportation Resolution:** 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 taxes for new construction of utility lines in the right of way which are being constructed as a result of the project. (Copy attached.)

A motion was made by Councilmember Baker and seconded by Councilmember Carnes to approve the SCDOT Resolution as stated. The motion was unanimously carried.

8. **Midlands River Coalition Funding:** The Town of Lexington became a member of the Midlands Rivers Coalition in 2016, sampling the Saluda, Broad, and Congaree Rivers to ensure public safety with the water quality. We are now entering the third year of activities and will also install signage at 21 locations along the rivers. These signs will be advising the public either telling about a problem or advising them to go to the website (*howsmyscrivers.org*) to find out about the water quality after each sampling period. Sampling will occur weekly from May until the end of September. The Town will be responsible for controlling a dynamic sign at the J. B. Barker Landing (formerly Hope Ferry Landing) in case of an advisory due to high bacteria levels. The Town was asked to pledge \$2,500 to continue the functions of the Coalition. The Central Midland Council of Governments will still be controlling the funds for the Coalition. Funds would come from the existing budget. (Sample sign attached.)

A motion was made by Councilmember Lyle and seconded by Councilmember Williams to approve a \$2,500 pledge for the Midlands Rivers Coalition Funding as stated. The motion was unanimously carried.

9. (Deleted.) **Social Media Position**

ANNOUNCEMENTS

Councilmember Baker made the following announcements: (1) On behalf of the Mayor and Council, he extended deepest sympathy to the Caughman family in the loss of Mr. Raymond Caughman. He was a true leader of this community and will be missed by many. (2) As the Mayor mentioned in the Vision Plan Update, there are lots of concerts and events at the amphitheater this spring! Starting with the Tartan Day concert this weekend and The Embers next Thursday. Please check icehouseamphitheater.com for all the details. (3) Several Town Boards will meet in April: The Board of Zoning will meet this Thursday at 5:30 in the Council Chambers. The Planning Commission will meet April 17th at 8:00 a.m. in the Council Chambers. If you would like to get involved with one of the Town's Boards or Commission, go to the Town's web page and complete a Boards and Commissions Application. (4) Council will meet again on April 15th at 6:00 for Council's Work Session meeting held in the Eli Mack Room. (5) Last week the Town named a new section of Virginia Hylton Park as the *Pat Jeffcoat Serenity Park*. This is the first phase of the Virginia Hylton Park renovation, built from community donations. Ms. Pat is very deserving of this honor in that she is a significant contributor to the Town's beautification efforts by volunteering her time on several projects. He added that Mayor Pro-Tem Livingston has been leading the park renovation and is doing a phenomenal job. (6) Please go to lexingtonwinewalk.com to participate in Lexington's Annual Wine Walk on May 11th, held at the amphitheater. Also, if you would like to be a vendor at this year's farmers market, please go to the Town's web page to get an application. This year "THE MARKET" has moved to the Icehouse Amphitheater so you will want to be included. If you have any questions, please call 358-7275. He welcomed the community's ideas to

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help make this year's market fun and exciting. (7) On behalf of the Mayor and Council, he wished Councilmember Maness a Happy Birthday this Friday. (8) He expressed condolences from the Mayor and Council to the family of Samantha Josephson and asked for an abundance of grace and mercy. He added that the students at USC are also in his thoughts and prayers. Councilmember Baker thanked the citizens for watching their Town Council in action tonight.

Mayor Pro-Tem Livingston wished to add that the proceeds from the Lexington Wine Walk go toward the renovations at Virginia Hylton Park. Mayor MacDougall added that past proceeds went back to the Town in beautification projects.

NEWS MEDIA QUESTIONS: None.

PUBLIC COMMENTS: None.

ADJOURNMENT

Mayor MacDougall thanked the Council members and citizens for attending the Council meeting. He thanked those at home for viewing the Council meeting on cable channel 1301 and it will also be replayed several times during the week.

Mayor MacDougall stated that without objection from Council, he declared the meeting adjourned. The Regular Council meeting was adjourned at 7:20 p.m.

Respectfully submitted,

Becky P. Hildebrand, CMC
Municipal Clerk

APPROVED:

Steve MacDougall
Mayor

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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.