

**MINUTES**  
**Town of Lexington**  
**Executive Session and**  
**REGULAR COUNCIL MEETING**  
**May 6, 2019**

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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 May 6, 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 (Executive Session only), Assistant Town Administrator Stuart Ford, Municipal Attorney Brad Cunningham, Transportation Administrative Assistant Laura Haney, 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 thirty (30) citizens present for the Council meeting and no members of the news media were present.

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**INVOCATION, PLEDGE OF ALLEGIANCE AND CALL TO ORDER:** Mayor MacDougall welcomed everyone to the meeting and introduced the Council Members. He called on Pastor Jason Williams, Riverbend Community Church, to give the invocation. Mayor MacDougall asked Mr. Ernie Yarborough to lead in the Pledge of Allegiance. Mayor MacDougall called the meeting to order at 6:33 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 Williams and seconded by Councilmember Baker to go into *Executive Session*. The motion was unanimously carried by all those present. (Councilmember Lyle was absent for the vote.) Council adjourned from *Executive Session* at 6:17 p.m. after a motion was made by Councilmember Williams and seconded by Mayor Pro-Tem Livingston. 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 a routine personnel review. No vote was taken. A motion was made by Councilmember Baker and seconded by Councilmember Maness to ratify the Mayor's report. The motion was unanimously carried.

**DELETIONS ON AGENDA:** None.

**PRESENTATIONS**

1. **Runner Safety Week Proclamation – Mayor Pro-Tem Hazel Livingston:** Mayor Pro-Tem Livingston read a proclamation declaring May 13<sup>th</sup> through May 19<sup>th</sup> as Runner Safety Week in the Town. Citizens were encouraged to increase awareness of runner safety and to remember that “*Safety is a two-way street*”. SAFE Lexington will host a 24/7 Safety Run and Walk covering approximately two miles along Main Street, US 378 and SC 6 with a goal of 6,227 miles in honor of 6,227 pedestrians killed in the nation in 2018. Mayor Pro-Tem Livingston, along with Coroner Margaret Fisher and MADD Representative Kim Cockrell, challenged the Mayor and Councilmembers to meet her at 5:00 a.m. on May 13<sup>th</sup> for the start of the 24/7 Run and Walk. (Copy attached.)

**Ms. Bridget Wilson**, SAFE Lexington, thanked the Mayor and Council. She stated that this group just came together a few months ago and in just a few weeks organized the Run and Walk event. She added that they felt they could not waste any more time since they had already lost two friends and they did not want to lose any more. She thanked the community for such quick response to their Run and Walk event.

**Mr. Ernie Yarborough** also thanked the Mayor and Council for what they are doing to bring awareness to safe running and walking. He knew it was difficult for Bridget to speak because of the loss of their friend Diane. He stressed that the Run and Walk event was strictly volunteer, it is not an organized run, and they do not have Police supervision. They are holding the event to promote runner safety and he asked everyone to come out and volunteer for an hour. He added that runners would not be allowed to run at night unless they have a reflective vest. Mr. Yarborough stated that their motto is “safety is a two-way street” and they ask for drivers to be mindful of the runners and for the runners to be safe in what they are doing.

2. **“Kids to Parks Day” Proclamation – Councilmember Steve Baker:** Councilmember Baker read a proclamation declaring May 18, 2019 as Kids to Parks Day in the Town. Citizens were urged to take the children in their lives out to a local park which would set a good example for the next generation. (Copy attached.) He added that the proclamation would be sent to the National Park Trust who has organized Kids to Parks Day for nine years.
3. **Safe Boating Week Proclamation – Councilmember Ron Williams:** Councilmember Williams read a proclamation declaring May 18<sup>th</sup> through May 24<sup>th</sup> as Safe Boating Week to support the start of the year-around effort and to help increase awareness of safe boating in the area and across the state.

MINUTES  
REGULAR COUNCIL MEETING  
May 6, 2019

**Mr. Clay Goodwin**, Flotilla Vice Commander, United States Coast Guard Auxiliary Flotilla 12-3 Lake Murray thanked the Mayor and Council. He stated that through efforts like this they hoped to reach their goal of zero boating accidents.

Councilmember Williams stated that the Coast Guard Auxiliary distributes literature about safe boating to all the boat dealers, at local boat shows, and the Sportsman Classic. He added that they spend a lot of hours on the lake keeping the navigational lights functioning and cleaning up the islands. He stated that on July 28<sup>th</sup> they will hold a cookout to help get the word out about boating safety. He thanked them for everything they do.

### **VISION PLAN UPDATE**

Mayor MacDougall announced: (1) The Lexington Live Free Spring Concert series will wrap up with Tokyo Joe at 6:30 on May 9<sup>th</sup> and The Root Doctors on May 23<sup>rd</sup>. (2) Another sold out show for Sister Hazel on Friday May 17<sup>th</sup>. (3) The Town will welcome country sensation Parmalee at the Icehouse on July 3<sup>rd</sup>. Tickets can be purchased at [icehouseamphitheater.com](http://icehouseamphitheater.com) for \$26.00. (4) The 9<sup>th</sup> Annual Lexington Wine Walk will be May 11<sup>th</sup> at the Icehouse Amphitheater from 6:00 p.m. to 10:00 p.m. Local music group, The Going Commando Band, will perform throughout the night. Tickets are \$40 and include a commemorative wine glass, wine tastings and hors d'oeuvres and can be purchased on-line at [www.lexingtonwinewalk.com](http://www.lexingtonwinewalk.com) or at the gate. You must be 21 years old to enter. Proceeds will go to the Lexington Beautification Foundation which is dedicated to the beautification of Lexington. (5) The Market at Icehouse is our rebranded Farmers Market which starts May 18<sup>th</sup> from 9:00 a.m. to 12:00 p.m. and will run every Saturday through September 28<sup>th</sup> with the exception of July 6<sup>th</sup>. To learn more about The Market at Icehouse visit Facebook page "Market at Icehouse".

### **TRAFFIC UPDATE**

Mayor Pro-Tem Livingston gave the Traffic Update: (1) The Ginny Lane project is nearing completion with final striping expected in two weeks. A temporary lane stoppage is expected, but this will occur during nighttime hours. Citizens were encouraged to use caution traveling through this area. Once completed, travelers from I-20 wishing to access Ginny Lane will proceed to the ramp traffic signal and make a right hand turn onto Highway 378 westbound and into the dedicated left turn lane. (2) The S. Church Street sidewalk has been completed except for grass stabilization. The Town is pleased to have this new pedestrian walkway between Woodland Drive and Gibson

MINUTES  
REGULAR COUNCIL MEETING  
May 6, 2019

Road. It will also provide another sidewalk for safe running and walking. (3) The next Traffic Committee meeting will be May 15<sup>th</sup> in the third floor conference room. 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.

1. **Final Reading** of an Ordinance Annexing Lexington County Tax Map #004300-04-181 located at 339 Cherokee Trail.
2. **Final Reading** of an Ordinance Entering into a Mutual Aid Agreement with North Myrtle Beach.
3. **Final Reading** of an Ordinance for a Budget Adjustment.
4. **Final Reading** of an Amendment to the Animal Control Ordinance.
5. **Final Reading** of an Ordinance Approving Purchase of Property, Parcel One.
6. **Final Reading** of an Ordinance Approving Purchase of Property, Parcel Two.

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

**OLD BUSINESS**

1. A motion was made by Councilmember Maness and seconded by Mayor Pro-Tem Livingston to approve **Final Reading of an Ordinance Entering into a Mutual Aid Agreement with the City of North Myrtle Beach Police Department**: The motion was unanimously carried. (Copy attached.)
2. A motion was made by Councilmember Carnes and seconded by Councilmember Williams to approve **Final Reading of an Ordinance for a Budget Amendment, Transportation Department**. The motion was unanimously carried. (Copy attached.)
3. A motion was made by Councilmember Williams and seconded by Councilmember Baker to approve **Final Reading of an Ordinance Amending the Animal Control Ordinance**. The motion was unanimously carried. (Copy attached.)
4. A motion was made by Councilmember Baker and seconded by Councilmember Lyle to approve **Final Reading of an Ordinance Approving the Purchase of Property in Town, Parcel One**. The motion was unanimously carried. (Copy attached.)
5. A motion was made by Councilmember Lyle and seconded by Councilmember Williams to approve **Final Reading of an Ordinance Approving the Purchase**

**of Property in Town, Parcel Two.** Councilmember Williams requested that the Deeds for item #4 and #5 be included in the Minutes once they are recorded. Mayor MacDougall stated that the information would soon be public. Municipal Attorney Cunningham stated that citizens can also make a FOIA request. The motion was unanimously carried. (Copy attached.)

### NEW BUSINESS

1. **First Reading of an Ordinance Annexing Lexington County Tax Map #4496-05-042 located at 156 Giaben Drive:** Romey and Sandi Nelson own one (1) acre located at 156 Giaben Drive and 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 2 and Giaben Drive is classified as a Local road. The Planning Commission will review this annexation during their May meeting to recommend a zoning and road classification for this parcel. (Copy attached.)

A motion was made by Mayor Pro-Tem Livingston and seconded by Councilmember Baker to approve First Reading of an Ordinance Annexing Lexington County Tax Map #4496-05-042 located at 156 Giaben Drive as stated. The motion was unanimously carried.

2. **First Reading of an Ordinance Annexing Lexington County Tax Map #3420-01-046 located at 113 Pilgrim Point Drive:** Brittany Espie owns a parcel located at 113 Pilgrim Point Drive and 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 Pilgrim Point Drive is an RL-6 Road. The Planning Commission will review this annexation during their May meeting to recommend a zoning and road classification for this parcel. (Copy attached.)

A motion was made by Councilmember Maness and seconded by Councilmember Williams to approve First Reading of an Ordinance Annexing Lexington County Tax Map #3420-01-046 located at 113 Pilgrim Point Drive as stated. The motion was unanimously carried.

3. **First Reading of an Ordinance to Change the Town Election Timing:** Lexington County Registrations and Elections recommended that all municipalities move their elections to the odd years to avoid confusion at the polls during the busier Presidential elections. It also helps them better address any issues and makes the election a smoother process for the citizens. Council moved to the odd years in 2009 and voted to return to even year elections in 2014.

A motion was made by Councilmember Carnes and seconded by Councilmember Baker to approve First Reading of an Ordinance to Change the Town Election Timing as stated. Mayor MacDougall stated

MINUTES  
REGULAR COUNCIL MEETING  
May 6, 2019

that the Municipal Association of South Carolina is also recommending for all municipalities across the state to vote in the odd years which was a big reason for Town Council to consider the change. Councilmember Lyle stated that the Lexington County Elections Office recommended the change. Mayor MacDougall agreed and stated that they had a lot of confusion at their office during the last election. The motion was unanimously carried.

4. **First Reading of an Ordinance for a Budget Adjustment, Parks Department:** The Parks Department needs to purchase a Skid Steer Cement Mixer at a cost of \$7,700 in order to complete the rubber walking trail. Also, an additional \$400 is needed above the current available capital balance to replace a broken tool box. (Copy attached.) The following budget adjustment was requested for the Parks Department:

Reduce:	Equipment Rental	\$ (4,000)
	Automotive Repair	<u>\$ (4,100)</u>
Add to Parks Capital Outlay:	Skid Steer Cement Mixer	\$ 7,700
	Tool Box	<u>400</u>
	Net Change to Appropriations	\$ -0-

A motion was made by Councilmember Williams and seconded by Mayor Pro-Tem Livingston for First Reading of an Ordinance for a Budget Adjustment, Parks Department as stated. The motion was unanimously carried.

5. **First Reading of an Ordinance Adopting the Fiscal Year 2019-2020 Budget:** South Carolina law requires Town Council to adopt a balanced budget each year. (Copies of the Budget Revenue and Expenditures and draft Ordinance attached.)

A motion was made by Councilmember Baker and seconded by Councilmember Carnes for First Reading of an Ordinance to Adopt the Fiscal Year 2019-2020 Budget as stated. Councilmember Baker confirmed that it has been 28 years since taxes were increased in the Town of Lexington and taxes were decreased twice. The motion was unanimously carried.

6. **First Reading of an Ordinance to Provide for the FY 2019-2020 Tax Levy:** South Carolina law requires Town Council to adopt the Tax Levy each year. (A copy of the draft Ordinance is attached.)

A motion was made by Councilmember Lyle and seconded by Councilmember Carnes to approve First Reading of an Ordinance to Provide for the FY 2019-2020 Tax Levy as stated. The motion was unanimously carried.

MINUTES  
REGULAR COUNCIL MEETING  
May 6, 2019

7. **Boards and Commissions Application:** The Town received an application from Mr. Michael Blackwell who expressed an interest in serving on the Town of Lexington Historic Preservation Review Board which currently has two vacancies. Mr. Blackwell is a Town resident. (Copy of application attached.)

A motion was made by Mayor Pro-Tem Livingston and seconded by Councilmember Lyle to approve the appointment of Mr. Michael Blackwell to the Town's Historic Preservation Review Board. Councilmember Lyle stated that he was impressed with Mr. Blackwell's application and his desire to further the knowledge and history of the Town. Councilmember Baker stated that the Town has several vacancies and Council values the applications received from citizens and more citizens need to get involved. The motion was unanimously carried.

Mayor MacDougall requested clarification as to why the Public Hearings had six items, but Old Business only had five items. Mr. Hanson responded that the Public Hearing was run for 15 days which was before the Planning Commission's April meeting was cancelled. He stated that it was correct for Council to have the hearing and the Planning Commission would review the item in their May meeting followed by Council's Final Reading in June.

**ANNOUNCEMENTS**

1. **Councilmember Carnes** made the following announcements: (1) He extended early birthday wishes to Mayor Pro-Tem Hazel Livingston who will be celebrating on May 22nd. (2) The quarterly *Coffee with a Cop* will be held at The Haven, located at 121 East Main Street, tomorrow from 7:30 a.m. to 9:30 a.m. These events are a great opportunity to speak with Police Officers about any concerns or questions about services. This meeting will also include Police Chaplains, Volunteers, and our community partner, Lighthouse for Life. (3) The National Peace Officers Memorial Day is May 15th and law enforcement officers in Lexington County will hold a special ceremony on May 14th at 9:30 a.m. at the Lexington County Law Enforcement Monument. The Mayor will read a proclamation also declaring May 12th through May 18th as "Police Week in the Town of Lexington". The Town thanked the Lexington Woman's Club for providing blue ribbons to be placed on the lamp posts on Main Street in memory of all fallen officers and to also honor the many men and women who currently serve our community each day with courage and dedication. (4) As the Mayor mentioned in the Vision Plan Update: *Lexington Live* will host Tokyo Joe this Thursday at the Icehouse starting at 6:30. The last *Lexington Live* free concert for the Spring Series will be May 23rd hosting The Root Doctors. (5) The Wine Walk is this Saturday at 6:00 at the Icehouse Amphitheater. (6) The Market at Icehouse starts next Saturday, May 18th from 9:00 to 12:00. The Market has a new location this year at the Icehouse Amphitheater. (7) Several Town Boards will meet in May: The Advisory Committee will meet May 21st at 6:00. The Planning Commission will meet on May 22nd at 8:00 a.m. in the

MINUTES  
REGULAR COUNCIL MEETING  
May 6, 2019

Council Chambers. If you would like to get involved with one of the Town's Boards or Commissions, please go to the Town's web page and complete a Boards and Commissions Application. (8) Council will meet again on May 20th at 6:00 for Council's Work Session meeting held in the Eli Mack Room. (9) Town Hall will be closed on May 27th in observance of Memorial Day. (10) He gave a shout-out to River Bluff High School's Girls Soccer Team who was playing Wando tonight. He wished Town Administrator Poole's daughter and team good luck and beat Wando to bring home the hardware.

**Councilmember Maness** announced that this is Teacher Appreciation Week and she encouraged everyone to let teachers in Lexington District One know how much we appreciated them. She added that it is also Nurses Appreciation Week. She thanked Mayor MacDougall's wife and Mayor Pro-Tem Livingston's daughter and the school nurses for everything they do.

**Councilmember Baker** welcomed his mother-in-law to the meeting who was visiting from Colombia, South America.

**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 7:10 p.m.

Respectfully submitted,

Becky P. Hildebrand, CMC  
Municipal Clerk

APPROVED:

Steve MacDougall  
Mayor

**MINUTES  
REGULAR COUNCIL MEETING  
May 6, 2019**

*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.*