

MINUTES
Town of Lexington
Executive Session and
REGULAR COUNCIL MEETING
June 11 , 2018

Town Council held the Regular Council Meeting preceded by an Executive Session and followed by a Council Work Session (*summer schedule*) on June 11, 2018 starting at 6:00 p.m. in the Council Chambers located at Town Hall, 111 Maiden Lane, Lexington, South Carolina. The meetings were attended by: Mayor Steve MacDougall, Mayor Pro-Tem Hazel Livingston, Council Members 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, Community and 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, Special Projects Manager Wesley Crosby, 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-five (25) citizens present for the Council meeting and no members of the news media were present.

OATH OF OFFICE CEREMONY

Mayor MacDougall welcomed everyone to the Council meeting and to the Oath of Office Ceremony for Councilmember Todd Lyle following his win on May 29, 2018 in a Special Election.

Councilmember Todd Lyle was joined by his wife and family. Councilmember Todd Carnes read the Oath of Office which was repeated by Councilmember Lyle swearing him in as a Councilmember for the Town of Lexington for a term through November 2018. (Copy of Oath attached.)

INVOCATION, PLEDGE OF ALLEGIANCE AND CALL TO ORDER: Mayor MacDougall introduced the Council Members. Reverend Weston Pendergrass, Lexington United Methodist Church, gave the invocation. Mayor MacDougall asked Councilmember Lyle to lead the Pledge of Allegiance. Mayor MacDougall called the meeting to order at 6:11 p.m.

EXECUTIVE SESSION REPORT

Mayor MacDougall reported that the *Executive Session* was called to order at 5:06 p.m. after a motion was made by Councilmember Baker and seconded by Mayor Pro-Tem

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Livingston to go into *Executive Session*. The motion was unanimously carried. Council adjourned from *Executive Session* at 6:01 p.m. after a motion was made by Councilmember Carnes 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 items regarding advice on a Town Ordinance and discussion of pending litigation; five contractual items regarding two economic development issues on Main Street, the I-20 Sewer Plant, a sewer contract, and a road construction contract. Two items were deferred to a later meeting regarding a Midlands Technical College contract and a routine personnel item. 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

Mayor MacDougall requested to delete New Business #4 (Boards and Commissions Application) without objection from Council.

PRESENTATIONS

1. **Proclamation Commending Kellan Fenegan – Councilmember Steve Baker:** Councilmember Baker read a proclamation commending Ms. Kellan Fenegan for being named Miss Greater Greer Teen 2018. (Copy attached.) He added that Ms. Fenegan is a student at River Bluff High School and her platform is helping foster children by creating Kellan's Kloset to collect clothing and other needed items for foster children.

Miss Fenegan thanked the Mayor and Council and explained her community service program. She stated that her family brought in her brother, Bruce, to his forever home about two years ago. She started learning about the foster care system which now oversees 4,546 foster care children in South Carolina and 1,640 of those children still need a foster family. She added that in Lexington and Richland Counties there are 635 foster care children of which 250 still need a foster family. She learned of the many needs of these children and started Kellan's Kloset to help collect items which are taken to Families of Hope in Lexington, where the children can come and pick out the items they like. She also created a website, Kellan's for Kids, to promote education and resources for foster children. Miss Fenegan hopes to expand her project to other states. She expressed that these children need a chance for a better future. She added that some very prominent people came from foster care including Babe Ruth, Marilyn Monroe and Steve Jobs. She encouraged everyone to help by talking about this topic to see what we can do.

2. **One Way Pair Update – Director of Transportation Randy Edwards:** Mr. Edwards presented the current update of the Town's long awaited SC 6 One Way Pair Project which is the first of several Hospitality Tax traffic projects put in place

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by Council. (Copy of power point attached.) He stated that to date several improvements have been made including the drainage systems, sidewalks, curb and gutter, and a new traffic signal at Maiden Lane and South Church Street. Mr. Edwards stated that asphalt paving is set to begin in less than a week on Sunday night, June 17th at 9:00 p.m. He added that Main Street would be closed from Fort Street to Third Avenue from 9:00 p.m. to 6:00 a.m. for three nights. He solicited the help of Lexington Police Department who will implement the parade route to detour traffic around the area. Mr. Edwards stated that it would take three nights to complete that section of resurfacing, followed by the paving of Church Street, Maiden Lane and South Lake Drive, also to be done at night. During the paving operation, the switch from two way traffic to one way traffic will be made at 5:00 a.m. on Saturday, June 23rd. The contractor, in house Staff and the Police Department will monitor all the points of conflict to insure that the change-over is seamless. Using the new traffic map, Mr. Edwards walked Council through the new route from North Lake Drive headed south, traffic will be diverted to South Church Street (2 southbound lanes) headed toward Main Street which will now allow left turns. He stated that green time just on Church Street will increase 50%. As you proceed south, a new signal is installed near the amphitheater at Maiden Lane and Church Street directing traffic to go straight on Church Street or turn left onto Maiden Lane. If approaching the signal from Hendrix Street headed north, traffic will be forced to turn right onto Maiden Lane. If on Maiden Lane headed toward South Lake Drive, traffic headed south will make a free right with no stop. If headed north onto South Lake Drive, traffic will stop prior to turning left. After making the left turn, four lanes are available headed north. This intersection will experience a 40% increase in green time for the Main Street traffic. Currently time is 23 seconds per minute and it will increase to 32 seconds per minute during peak times. As the two lanes north bound lanes come back together with the south bound lanes, at the Lexington Elementary School, it merges back into one lane and continues as before. Mr. Edwards stated that the advantages of the one way pair are significant improvement in operational efficiencies at two major intersections in the downtown area which can double the amount of cars going across Main Street and 40% increase in green light time. He added that the Town's video is being updated to describe how the one way pairs will work.

Councilmember Maness asked if people would be able to come in from either side of the frame shop. She asked to see it on the map. Mr. Edwards responded that the frame shop at the triangle of Church Street and North Lake Drive would have an entrance only off North Lake Drive which is exactly as it was before. He added that the difference is there will be an exit going on to Church Street and if you want to go around, you would go to Corley Street and make a left to get back on North Lake Drive. Councilmember Williams clarified that citizens would turn left into the frame shop off North Lake Drive. Mr. Edwards responded yes, and there is an exit onto Church Street also. He added that there was a curb before so you couldn't access their parking lot from Church Street before.

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Councilmember Carnes asked if the next project would allow for two lanes in front of the elementary school all the way to the next light, because the current plan shows the two northbound lanes on North Lake Drive merging into one lane. Mr. Edwards responded yes, it would be increased to two lanes with the next project, called the Harmon Street Extension, which is approximately 65% design complete. He added that two lanes would extend from the splitter island at the elementary school to the Dreher Street signal. Councilmember Carnes wanted to clarify this point for the citizens to show the connection for the two projects which come from the same funds. He added that based on current time lines they should be able to get to the second project in 12 to 24 months which will improve traffic at Lexington Middle School with two free flowing lanes. Mr. Edwards stated that they are currently on schedule to start construction just after the first of the year provided all the right of way acquisitions occur in a timely manner.

Councilmember Williams asked when the sidewalks would be reinstalled on Main Street. He noticed at the corner of Main Street and SC6 they have not been repaired from construction. Mr. Edwards responded that they had to excavate the granite that was installed in 2003 and shift it. He added that next Monday they will go to split phase once the paving begins, and there will only be a single lane going in each direction which will allow them to build the granite out. He stated that this piece had to be at the last minute which introduces another difficult situation just before it all gets better in two to three days. Councilmember Williams asked if the curb, further down East Main Street, would remain the same height. Mr. Edwards responded that it would be about the same at the Court House in that they are removing two inches and they will put two inches back. He added that their project does not go beyond the Corley house.

Councilmember Baker called on Chief Green to explain the Police Department's plan to help maintain order with traffic during implementation of the one way pair project. Chief Green deferred to the Transportation Director who came up with the plan. Town Administrator Poole stated that the video was ready and he recommended they watch it first. Chief Green stated that his officers would be collecting data regarding traffic errors over the three day period of implementation at key locations in order to assist with proper placement of signage. Mayor MacDougall stated that would be great because people in the community have been driving the roads for a long time so there will be a learning curve and he appreciated the Police Department being proactive.

Councilmember Carnes wished to confirm for the public that this work was started two and one-half years ago and it takes a long time to get something from a scratch pad with some engineers to a design study through SCDOT up to shovel ready. He added that the Town has completed project one and will complete project two in approximately 12 to 18 months. He understands that traffic will pick up about 30 to 40 percent efficiencies in this area from Main Street to North Lake Drive at Kentucky Fried Chicken. Councilmember Carnes stated that citizens have been patient and waited to see the improvements and it is here. He commended Mr.

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Edwards, his team, and everyone who worked on it and he could not wait to see it roll out.

Mayor MacDougall announced that they would now view the video (approximately three minutes) that was updated to include the One Way Pair Project which will be shown many times on the Town's web page, Facebook, and the Town's Channel 1301 (formerly Channel 2). He thanked Mr. Poole and Ms. Dowden.

3. **Tree City Award – Mayor Steve MacDougall:** Mayor MacDougall referred to the award displayed in front of him and announced that the Town of Lexington had received the Tree City Award for the 30th consecutive year from the National Arbor Day Foundation and the SC Forestry Commission. He added that there are four standards that must be met in order to receive the award: (1) Must have a Tree Board or Department; (2) Must have a Tree Care Ordinance; (3) Must have a Community Forestry Program with an annual budget of at least \$2.00 per capita; and (4) Must have an Arbor Day Proclamation and observance the first Friday in December. Mayor MacDougall stated that this award is another example of the effort that the Town gives to enhance the quality of life. He extended a big round of applause to the Town's Parks Department and Director Walker.

VISION PLAN UPDATE

Mayor MacDougall announced: (1) The Icehouse Amphitheater continues to be a very successful event location. He thanked the thousands of guests who came out and enjoyed the Town's free Spring concerts Series. (2) More than 1,500 guests came to the Town's 8th Annual Lexington Wine Walk in May. (3) There was a sellout crowd of 1,000 the past Friday night for the Sister Hazel concert with opening act Georgia Flood. (4) The Town and the Lexington County Recreation and Aging Commission will host free Movies in the Park at the Icehouse Amphitheater with each movie starting at 8:30 p.m. on: June 15th – *Super 8* and a special community outreach and Meals on Wheels Volunteer Recognition event; and June 22nd – *The Greatest Showman*. Mayor MacDougall stated that he didn't know if everyone knew, but there is a local actor in the movie – Jeremy Hudson who may be in Town that week. Also, Mission Lexington (LICS) will host a canned food drive that night. (5) On June 29th at 7:00 p.m. the 246 Army Band will perform a free concert at the Icehouse Amphitheater as part of their annual summer tour. There will be something for everyone. The concert will feature traditional military selections, a throwback to the jazz age with the Palmetto Jazz Orchestra, the sounds of New Orleans and beyond with the Battery Brass Band; and, the rock band, Moment's Notice. Fireworks will follow the concert presented by Nephron Pharmaceuticals and Marine Max Columbia. (6) The Farmers Market runs each Saturday from June through September from 9:00 a.m. to 12:00 p.m. at Lexington Square Park. Vendors can still apply for the 2018 season by calling 803-358-7275 or emailing farmersmarket@lexsc.com.

TRAFFIC UPDATE

Mayor Pro-Tem Livingston thanked Mr. Edwards for the One Way Pair update and for everything he has done on this project. She announced that the video which explains the One Way Pair project can now be viewed on the Town's Facebook page. She encouraged everyone to "like" and "share" the page with their friends. The next Traffic Committee meeting will be Wednesday, July 25, 2018 at 8:00 a.m. in the third floor conference room in Town Hall. Mayor Pro-Tem Livingston asked if anyone was aware of a traffic signal issue, unsafe roadway situation, or a pot hole that needs repair, please call 358-7273 to alert the Transportation Department.

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 Update to the Flood Damage Prevention.
2. **Final Reading** of an Ordinance to Annex Lexington County Tax Map #4496-02-150 located at 2503 Mineral Springs Road.
3. **Final Reading** of an Ordinance to Annex Lexington County Tax Map #4300-07-160 located at 308 Park Road.
4. **Final Reading** of an Ordinance to Annex Lexington County Tax Map #4300-04-178 located at 327 Cherokee Trail.
5. **Final Reading** of an Ordinance to Annex Lexington County Tax Map #5426-01-006 located at 349 Railroad Avenue.
6. **Final Reading** of an Ordinance to Adopt the FY 2018-2019 Budget.
7. **Final Reading** of an Ordinance to provide for the FY 2018-2019 Tax Levy.
8. **Final Reading** of a Capital Transfer for the Transportation Department.

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 Carnes to approve **Final Reading of an Update to the Flood Damage Prevention**. The motion was unanimously carried. (Copy attached.)
2. A motion was made by Councilmember Carnes and seconded by Councilmember Baker to approve **Final Reading of an Ordinance to Annex Lexington County**

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Tax Map #4496-02-150 located at 2503 Mineral Springs Road. The motion was unanimously carried. (Copy attached.)

3. A motion was made by Councilmember Williams and seconded by Councilmember Maness to approve **Final Reading of an Ordinance to annex Lexington County Tax Map #4300-07-160 located at 308 Park Road.** The motion was unanimously carried. (Copy attached.)
4. A motion was made by Councilmember Baker and seconded by Councilmember Carnes to approve **Final Reading of an Ordinance to annex Lexington County Tax Map #4300-04-178 located at 327 Cherokee Trail.** Councilmember Carnes asked about the status of the bridge on Cherokee Trail. Mr. Poole responded that it was funded and will be constructed when SCDOT is ready. He added that it was one of the projects identified during the gas tax increase. Mayor MacDougall stated that the volume on that road was very low so it moved down the list. 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 to annex Lexington County Tax Map #5426-01-006 located at 349 Railroad Avenue.** The motion was unanimously carried. (Copy attached.)
6. A motion was made by Mayor Pro-Tem Livingston and seconded by Councilmember Maness to approve **Final Reading of an Ordinance to Adopt the FY 2018-2019 Budget.** Councilmember Baker confirmed that there was not a tax increase with the budget. Mr. Poole confirmed that and added that millage had not increased in 28 or 29 years and there had been two or three decreases. The motion was carried with a vote of six (6) in favor and one (1) opposed (Williams). (Copy attached.)
7. A motion was made by Councilmember Maness and seconded by Mayor Pro-Tem Livingston to approve **Final Reading of an Ordinance to provide for the FY 2018-2019 Tax Levy.** The motion was unanimously carried. (Copy attached.)
8. A motion was made by Councilmember Carnes and seconded by Councilmember Baker to approve **Final Reading of a Capital Transfer for the Transportation Department.** The motion was unanimously carried. (Copy attached.)

NEW BUSINESS

1. **First Reading of an Ordinance Annexing Lexington County Tax Map #5311-01-242 and 243 located at 406 and 410 Montrose Drive:** Vintner's Woods, LLC, owns two parcels located at 406 and 410 Montrose Drive in the Vintner's Woods subdivision and has petitioned to annex the properties. Single

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family homes are planned to be constructed on the sites. Properties in Town near these are zoned Protected Residential 2 and Montrose Drive is already classified as an RL-4 road. The Planning Commission will review this annexation during their June meeting to recommend zoning and road classifications for these parcels. (Copy attached.)

A motion was made by Councilmember Williams and seconded by Councilmember Lyle to approve First Reading of an Ordinance annexing Lexington County Tax Map #5311-01-242 and 243 located at 406 and 410 Montrose Drive as stated. The motion was unanimously carried.

2. **First Reading of an Ordinance Annexing Lexington County Tax Map #350-01-071 located at 254 Corley Mill Road:** Shaun and April Mills own .78 acres located at 254 Corley Mill Road and have petitioned to annex the property. A small commercial building is located on the site. Properties in Town near this one are zoned Limited Commercial and High Density Residential. Corley Mill Road is classified as a Collector road. The Planning Commission will review this annexation during their June meeting to recommend a zoning and road classification for this parcel. (Copy attached.)

A motion was made by Councilmember Baker and seconded by Councilmember Williams to approve First Reading of an Ordinance annexing Lexington County Tax Map #3500-01-071 located at 2254 Corley Mill Road as stated. The motion was unanimously carried.

3. **Reappointments to Boards and Commissions:** The terms for the following Boards and Commissions members will expire June 30, 2018. The current members have all consented to continue their service. Reappointments must be approve by Council.

Advisory Committee: Madison Rogers James D. Dawson, Terry C. Samuels
Board of Zoning Appeals: Mary Watts, Reve' Richardson, Troy Fite
Building Code Board of Appeals: William Lafferty, Gene Smith
Planning Commission: Keith Frost, Jamie Fite, Jeannie Michaels

A motion was made by Councilmember Lyle and seconded by Councilmember Williams to approve the reappointments as stated. Councilmember Baker stated that most of the Town's Boards and Commissions have vacancies and he encouraged citizens who want to get involved, this is a great way to do and the Town would welcome their application. Mayor MacDougall acknowledged Mr. Keith Frost who was present and thanked him for continuing to serve on the Town's Planning Commission. The motion was unanimously carried.

4. (Deleted.) **Boards and Commissions Application – Board of Zoning Appeals**

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5. **Accommodations Tax Allocation:** The Accommodations Tax Advisory Committee met on May 9, 2018 to review Accommodations Tax projects requesting funds from the Fiscal Year 2017 65% fund allocation. A spreadsheet listing the requests and the Accommodations Tax Committee’s award recommendations was provided for Council’s review. (Copy attached and summarized below.) Award amounts equal this year’s available funds of \$111,000. Additionally, a budget provided by the Greater Lexington Chamber and Visitors Center regarding the designation of FY2017 30% Advertising and Promotion Special Fund was attached for Council’s review. (Copy attached.) The FY 2017 Chamber designated 30% amount is \$50,524.43.

	<u>Requested</u>	<u>Committee Recommended</u>
Capital City Lake Murray Country	\$ 15,000	\$5,000.00
Columbia Metro Convention & Visitors Bureau	\$ 15,000	\$ 6,000.00
Columbia Regional Sports Council	\$ 3,000	\$ 3,000.00
Crossover Athletics/Run Hard	\$ 15,000	\$ 10,000.00
Lexington Chamber & Visitor Center	\$ 15,000	\$15,000.00
Law Enforcement Chaplaincy for SC	\$ 18,129	0
Lexington County Museum	\$ 8,000	\$ 8,000.00
Lex County Recreation & Aging Comm.	\$ 20,000	\$18,000.00
The River Alliance/Tartan Day	\$ 8,000	\$ 8,000.00
Town of Lexington/Amphitheater	\$ 35,000	\$35,000.00
Town of Lexington/Snowball Festival	<u>\$ 5,000</u>	<u>\$ 3,000.00</u>
	\$157,129	\$111,000.00

A motion was made by Councilmember Maness and seconded by Councilmember Carnes to approve the allocation of Accommodations Tax as recommended by the Accommodations Tax Advisory Committee as stated. The motion was unanimously carried.

6. **Ratification of Sidewalk Maintenance Agreement with Lexington County:** The Town’s Road Maintenance Agreement with the County is silent as to the inspection, approval and maintenance of sidewalks. The Town requires sidewalks in all new subdivision, but the County does not require sidewalks. The County requested the agreement be amended so as to clarify the responsibility of the sidewalks. A copy of the proposed amended agreement was provided for Council’s review. (Copy attached.) At Council’s May Work Session, authority was given to the Mayor to sign the agreement with the matter being sent to Town Council for a ratification vote on June 11, 2018.

A motion was made by Councilmember Carnes and seconded by Mayor Pro-Tem Livingston to ratify the amended Sidewalk Maintenance Agreement with Lexington County as stated and per previous Town Council action. Councilmember Lyle asked if there had been any discussion regarding ADA compliance and the Town’s liability in order

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to not assume any additional responsibility. Mr. Poole responded that there was no discussion about ADA, but sidewalks generally require ADA standards and the Town inspects it. He added that there are some conditions where the underlying land may make it impossible to meet the standards. Mr. Poole stated that the requirements are the same no matter who has the responsibility to maintain the sidewalks, but the Town ultimately inspects sidewalks. He added that the Town does assume some liability but he did not think it was any additional liability. Mr. Poole stated what had changed was the County had stopped inspecting and taking sidewalks. He added that the Town did not take ownership of sidewalks in the past, the County took ownership. He stated that in new neighborhoods the HOA has ownership of the sidewalks and the Town verifies that they are maintained. Councilmember Lyle stated that he just wanted to make sure it was contemplated during the discussions. The motion was unanimously carried.

ANNOUNCEMENTS

Councilmember Williams made the following announcements: (1) He welcomed new Councilmember Todd Lyle. (2) Tomorrow is the South Carolina Primary and everyone was encouraged to get out and vote! Also, June 19th is the Lexington District One School Board election. (3) He expressed condolences to the family of Donnie Sons who passed away last week. Please keep Shirley and his family in your prayers. (4) The Town of Lexington's Farmers Market is every Saturday from 9:00 to Noon at the Lexington Square Park. Come out and enjoy local produce and other vendors. (5) Even though the spring concert series is over at the Icehouse Amphitheater – it's still a busy place! As the Mayor mentioned in the Vision Plan – come out and enjoy the following events:

June 15th	8:30	Movie: Super 8
June 22nd	8:30	Movie: The Greatest Showman
June 28th	7:00	A Tribute To Tom Petty
June 29th	7:00	246th Army Band & Fireworks!

More announcements will be made at the next Council meeting or visit icehouseamphitheater.com for a listing of all the events and movies coming soon. (6) Council will meet again on July 16th at 6:00 for the Regular Council Meeting and the Council Work Session in the Council Chambers. (7) The Planning Commission will meet on June 20th at 8:00 a.m. in the Council Chambers. (8) The Lexington County Museum will hold 2 events on June 23rd: 10:00 am will be the Lexington Museum Family Day and at 8:00 pm will be the Murders & Mysteries Walking Tour. Please visit lexingtoncountymuseum.org for more information. (9) Town Hall will be closed on Wednesday, July 4th in observance of Independence Day. (10) Councilmember Williams wished all the Dads a Happy Father's Day on June 17th. He thanked everyone for watching their Town Council in action tonight.

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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 Channel 1301 (formerly Channel 2) 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 7:06 p.m. He called for a 10 minutes recess prior to Council's Work Session.

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.