Town Council held a Council Work Session in the Eli Mack Sr. Room, followed by Executive Session II, and preceded by Executive Session I and the August Regular Council meeting (separate minutes) in the Council Chambers on August 19, 2019 at 111 Maiden Lane, Lexington, South Carolina (Summer Schedule). The meetings were attended by: Mayor Steve MacDougall, Mayor Pro-Tem Hazel Livingston, Councilmembers Kathy Maness, Todd Carnes, Steve Baker and Todd Lyle. (Councilmember Ron Williams was absent for the meetings.)

Staff members present were: Town Administrator Britt Poole, Assistant Town Administrator Stuart Ford, Municipal Attorney Brad Cunningham, Transportation Director Randy Edwards, Planning, Building and Technology Director John Hanson, Utilities and Engineering Director Allen Lutz, Utilities Superintendent David Patton, Finance Director Kathy Pharr, Parks and Sanitation Director Dan Walker, Assistant Parks and Sanitation Director Johnny Dillard, Assistant Municipal Clerk Karen Hanner and Municipal Clerk Becky Hildebrand.

There was one (1) citizen present and no members of the news media were present.

OPENING STATEMENT and CALL TO ORDER

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.”

Mayor MacDougall called the Council Work Session to order at 7:37 p.m.

EXECUTIVE SESSION I REPORT: (Reported during the August Regular Council meeting.)
DELETIONS ON AGENDA: Delete Presentations which were held during the Regular August Council meeting.

APPROVAL OF MINUTES: A motion was made by Councilmember Maness and seconded by Mayor Pro-Tem Livingston to approve the minutes as submitted from Council’s Work Session and Council’s Regular Meeting, both held on July 8, 2019. The motion was unanimously carried by all those present.

BUSINESS ITEMS: (For Discussion and Recommendation for Council’s September 3, 2019 Regular Council Meeting.)

1. **Caughman Farm Lane – Director of Planning, Building and Technology John Hanson:** Mr. Frank Chapman developed many of the commercial properties around Caughman Farm Lane. When Caughman Farm Lane was dedicated to the Town as a public road, it included property in excess of the standard 50 foot right of way. This excess property is where the Cherokee Bend sign was permitted by the SCDOT before it was dedicated as a public road. The sign was recently destroyed by a car accident. To replace the sign it needs to be located on private property so Mr. Chapman requested the Town transfer a portion of the right of way back to him. The area that would be transferred is shown on the attached drawing. (Copies attached.)

   A motion was made by Councilmember Baker and seconded by Councilmember Carnes to transfer the sign back to Mr. Chapman in order to repair his sign. The motion was unanimously carried by all those present.

2. **Boards and Commissions Application – Municipal Clerk Becky Hildebrand:** The Town received three Board and Commission applications from citizens expressing an interest in serving on the Planning Commission which has one vacancy. The applications are as follows: (Copies of application attached.)

   **Mr. Justin Brown:** a Town resident and currently serves on the Board of Zoning Appeals since July 2018.

   **Mr. Ronald W. Fisher:** a Town resident and employed as a land surveyor.

   **Mr. Chris Brownlee:** a Town resident and previously served on the City of Columbia’s Planning Commission.

   Councilmember Baker made a motion to appoint Mr. Brownlee to the Planning Commission at Council’s September 3, 2019 meeting based on two things: He previously served on the City of Columbia’s Planning Commission and, as the Council Liaison to the Board of Zoning Appeals, they already have two vacancies so
if you took someone off the Board there would be three vacancies. He added that Mr. Brownlee approach him several months ago expressing an interest in the Planning Commission. Councilmember Baker advised him that the Town did not have an opening at that time, but he reached out to him when a vacancy occurred. He was not familiar with Mr. Fisher. There being no second, the motion failed.

Councilmember Maness stated that she does not know much about any of the applicants, but one has only lived in the Town for one and a half years and does not own property in the Town. She did not know if that concerned anyone. Councilmember Lyle stated that the home address is located in Town. Municipal Attorney Cunningham stated that he may be renting property. Mayor MacDougall stated that you do not have to own property and the applicant works at a bank so he probably owns property somewhere and the applicant may think the question is about additional property. Councilmember Maness stated that openings on the Planning Commission are few and far between, and she asked if Council was interested in talking to each applicant, or were they already familiar enough with them to make a decision.

Councilmember Lyle stated that he had a chance to review the applications. He added that Mr. Brownlee is new to the area but is involved and active and Mr. Fisher works in the surveying world and probably has a good grasp of things. Councilmember Lyle stated that he would not mind an opportunity to speak to the applicants.

Councilmember Maness recommended that Council approve the item for the next Council meeting, but ask the applicants to come just before the next Council meeting to give Council an opportunity to interview each one for five to seven minutes. She added that this is a very important decision and they need to get the right person. She confirmed that the applicants had not contacted any other Council members. It was the consensus of Council to interview the applicants. Councilmember Carnes stated that he would like to find some appropriate venue where Council would not have to make decisions based only on paper. Mayor MacDougall stated that it is wonderful that Council is faced with this because normally they only have one application to review, so this is new for everyone. He agreed to invite the applicants to meet with Council just before the next Council meeting. Mr. Poole recommending setting some time aside before dinner and meet with them individually around 4:30. Councilmember Carnes requested that the communication to the applicants include that we are doing this because we have three qualified applicants and only
one position and due diligence requires Council to talk to them. Mayor MacDougall agreed to give them specific times. Councilmember Lyle stated that they should know that they may be asked a question or two and to be prepared to tell Council a little about themselves and why they want to serve on the Planning Commission. It was the consensus of Council to set up five to 10 minute interviews starting at 4:30 on September 3, 2019 and place the item on Council’s September 3, 2019 agenda.

Town Administrator Poole wished to introduce **David Patton, Utilities Superintendent**, before Council moved to the next item. He added that David is usually out of sight and in the background fixing things and does a good job. He is second in charge to Mr. Lutz and is here tonight if there are any questions.

3. **New Wastewater Pumping Station Design Guidelines and Standard Specifications – Utilities and Engineering Director Allen Lutz:** The Utilities Department has been using standards from the Town’s Ordinances which are outdated based on the department’s needs. They have been working with the Town’s Engineer to improve the design guidelines and standard specifications to meet the current needs. Following are several items included in the new guidelines:

   (1) Property will be deeded to the Town and will not be an easement which many times causes access problems due to vehicles parked in the easement.
   (2) The required area for the pump station allows turn around space as well as easier access around the equipment.
   (3) A standard wet-well sizing at each pump station.
   (4) Canopies to protect the control panel and give Staff a safe work area.
   (5) Either backup pumps or connections at each new pump station.
   (6) Equipment specified by model, materials, and manufacturer which standardizes pump stations giving the ability to minimize spare parts inventory.

Council was asked to place this on their September 3, 2019 agenda for approval.

Councilmember Carnes asked if the property to be deeded was all access property. Mr. Lutz responded that it was access property and the pump station property itself were on easements. Councilmember Carnes asked if the Town could own the pump station but not the ground under it. Mr. Lutz responded yes, the Town owns the pipeline without the ground under by easement. He added that the Town does not want people parking on the easements but they do. Municipal Attorney Cunningham stated that the owner can argue that they still own the property and they can do what they want. Councilmember Carnes stated that the enforcement mechanism is the same, call the Police. Mr. Lutz responded that they do call the Police if
the property is in Town and they call the Sheriff’s office if the pump station is in the county.

Councilmember Lyle asked if the easement is still owned by the property owner, don’t they have a duty to maintain it. Mr. Poole responded yes, depending on how it is written. He did not know if that was the specific problem, but it could be. He added that most of the time now they are all deeded so this formalizes the policy in order to only give one option. Mr. Poole stated that it avoids problems if the Town owns the property because it is not used for anything else because the Town has a permanent facility on the property.

Councilmember Carnes stated that he was thinking about a long access road to get to something when a property owner does not want to give up the land, they just want to allow access. Mr. Poole stated that is more about pipelines and mains, but they can be owned, and the Town is required to maintain it. He added that pump stations are generally located near neighborhoods at a cul-de-sac with maybe a drive is long enough to get you behind the house. Mr. Lutz stated that they have had a problem with them when the trees grow over the easement and trucks can’t get through and the owner does not want to cut the trees.

A motion was made by Councilmember Lyle and seconded by Councilmember Maness to place the item on Council’s September 3, 2019 agenda for approval. The motion was unanimously carried by all those present.

4. **New Concept for Sanitary Sewer Covers – Utilities and Engineering Director Allen Lutz:** Mr. Lutz was asked to look into a new design for the manhole covers in the Town’s sewer service area that would identify the Town of Lexington. Council was provided a concept drawing for the new cover. (Copy attached.) If Council requested to move forward with the request, the Town could change specifications to include the new cover on all new installations and change others over time throughout the system. The initial fee to create the mold at the foundry would be $5,000. The cover would be standard pricing after that. A ring and lid are currently $187.00 and the lid alone is $92.00.

Councilmember Lyle confirmed that the $5,000 fee is a one-time set-up fee. Mr. Lutz added that the mold would then belong to the Town. Mr. Poole stated that the Town would not be the ones buying the manhole cover because most of them would be purchased by developers who are developing a neighborhood. He added that the price to the developer would not be different, they would just be directed to purchase the lid with the Town logo at the standard price. He told Council they may have seen custom lids in other cities, such as Greenville, and it is a good idea. Mr. Poole stated that with a set-up fee of $5,000 it was a no-brainer.
A motion was made by Councilmember Maness and seconded by Mayor Pro-Tem Livingston to place the item on Council’s September 3, 2019 agenda for approval. The motion was unanimously carried by all those present.

5. **Travel Policy Update – Finance Director Kathy Pharr:** It was requested for Council to discuss the reimbursement policy for out of town parking. Staff has taken this opportunity to make needed changes to update the Travel Policy overall. A copy of the policy, with the needed changes highlighted, was provided to Council. (Copy attached.)

Ms. Pharr stated that there should also be a change under “Meals” to read “Tolls and Parking that are not included in the hotel bill”. Mr. Poole stated that he recently had conversations with several Councilmembers about when the hotel charges you and you do not have an option for parking and they bill it with the room charge. He added that the current policy requires parking to be separated and paid by the employee. He stated that Council has been to some hotels that require valet parking which can be as high as $27 or $28 a day. Mr. Poole stated that if you park in a public parking garage, which is not required by the hotel, then it should be paid with the employee’s per diem. He added that some of the other changes are minor such as adding Uber and Rideshare under Taxis and writing the policy to follow the Town’s practice. Mr. Poole stated that another change is in reference to host hotels at a convention, whereas the Town has traditionally allowed employees to choose between all the hotels that are available at the contract price. He added that these are some of the changes which Council could approve or make additional changes.

Councilmember Baker asked about the definition of a Pullman train. Mr. Poole responded that it is a fancy ticket for a train and is the equivalent of first-class but in a train.

A motion was made by Councilmember Carnes and seconded by Councilmember Lyle to place the item on Council’s September 3, 2019 agenda for consideration.

6. **State Revolving Loan Fund Resolution – Assistant Town Administrator Stuart Ford:** The next phase of I-20 Sewer System Pump Station Repairs is estimated to cost $5,100,000. The project will entail the rebuilding of several stations and closeout of lagoons and various combinations of pump replacements, wet well lining, and other repairs to other stations. The State Revolving Loan Fund program offers loans at low rates and up to 30 year amortization for qualifying projects. In order to proceed with SRF funding, Town Council must authorize, by Resolution prepared by the Town’s Bond Counsel, the completion and submittal of an application to SRF for the I-20 Sewer System Pump Station Repairs.
Council was requested to place this item on Council’s September 3, 2019 agenda for approval.

A motion was made by Councilmember Baker and seconded by Councilmember Maness to place the request on Council’s September 3, 2019 agenda for approval. Councilmember Carnes asked if the cost estimate was prepared by American Engineering and would all the pump station projects be bid as one project. Mr. Ford responded yes, that American Engineering is the engineer for the project and they have gone through the project to the point to determine an estimated cost. He added that it would be bid as one project, however there are alternate contractors that can be used later if needed. The motion was unanimously carried by all those present.

7. **Mineral Springs Road Improvement Options – Transportation Director Randy Edwards:** In 2018 Council directed Staff to perform a feasibility analysis of relocating Mineral Springs Road to align with Hope Ferry Road and eliminate a signalized intersection along US 378. After a thorough traffic analysis and concurrence by SCDOT, the recommendation is to not relocate Mineral Springs Road. Rather, the analysis shows that significant improvements at both intersections is currently warranted and needed to avoid Level of Service F conditions.

At the July 2019 Council Retreat Staff presented three alternatives: *(Cost includes widening of US 378 between intersections.)*

(A) Relocate Mineral Springs at a cost of $16,958,000.

(B) Intersection improvements at a cost of $10,065,000.

(C) Intersection improvements with secondary connector at a cost of $13,750,000.

Staff seeks Council’s direction on selecting one of the following options:

1. Do nothing.
2. Design and construct the deceleration lane identified in the LTIP for Mineral Springs Road. Do nothing at the Hope Ferry Road intersection.
3. Design the Hope Ferry Road improvements proposed in the LTIP document and design and construct the deceleration lane identified in the LTIP for Mineral Springs Road.
4. Complete 30% design for secondary road connector between Mineral Springs Road and Hope Ferry Road.

Budget and Finance: Design and/or construction work to be funded through Roads and Infrastructure budget.
Mr. Edwards stated that this is a summary of what was presented to Council during their July Retreat. He added that the analysis showed to not relocate Mineral Springs Road in alignment with Hope Ferry Road. Mr. Edwards stated that in July they discussed moving forward with “Alternative B and C” with B meaning address the nodes at Mineral Springs major improvements, address improvements at Hope Ferry Road, and C included the connector road.

Mr. Edwards stated that he is now looking for input on how to move forward with the Traffic Study complete. He added that it appears that private development will address a portion of Mineral Springs improvements; and there is nothing to address Hope Ferry Road; nor the other components of Mineral Springs. He presented four possibilities (1 through 4 above).

Mr. Poole added that Council could pick and choose between those options, but it was his understanding from the Retreat that they wished to move forward with the LTIP Mineral Springs option which is the detailed alignment. He added that whatever happens on that corner, private development will pay for everything but that portion. Mr. Poole stated that this is Council’s opportunity to officially in public state their options and then decide what the next steps are at Mineral Springs for the big project of Mineral Springs and Hope Ferry.

Councilmember Lyle stated that it may be wishful thinking, but would it be worth it to see how the other meeting goes this week before making these decisions. Mr. Poole responded yes, they can wait and he was right to add that it was wishful thinking. He stated that the decision comes down to the big projects, not the LTIPs, but the project for Hope Ferry and Mineral Springs. Mr. Poole stated that Council needed to choose one of the options A, B, or C and the next step would be to determine if they want to spend a little more money on engineering so they have better plans with 30% of design plan rather than a conceptual design and be further along in case funding becomes available. He added that they could just pick one and say we are going to the LTIP but we are going to wait over here because we have a justified plan on how it would look. He added that they may determine that it is valid to not spend any more money on that because we have done enough to know what the solution is and we know enough to know we are not going to pay for this right now, but we can seek other funding with that knowledge once we have identified A, B or C and spend that $100,000 to $200,000, that it would cost to finish the design, on another project. Mr. Poole stated that there is not a wrong answer, but Staff needs some specific guidance from Council to “go do that”.

Councilmember Lyle stated that it was his understanding at the Retreat that if you build it they will come and if we design it, and money becomes available from the COG or elsewhere, the Town stands a better chance to
be at the front of the line. He added that if that is the case, then he would be for spending what we can on the design because it looks like we have done our due diligence to be positioned in the right place. Mr. Poole stated that is a valid perception, but he would add that to be truly shovel ready it is more like $4 million which acquires the right of ways and full completion of plans which alone can be $1 million because a $10 million project is at least 10% of the project so it depends on which one Council chooses. He did not want it to look like they could put another $100,000 into this and have a shovel ready project because we would not. He stated what we would have is an extremely justified project that we have done our homework on that we can lobby for and say “you can give us money for this” and here is the 25 page power point presentation from the engineers explaining why it should be done this way after studying all the options. Mr. Poole stated that he did not feel strongly one way or the other and it was whatever Council wanted to do for the next step and how far they wanted to go.

Councilmember Carnes stated that based on the money at hand, he would lobby to take on the decel lane construction because we know that is a good decision. He added that every time one of these projects goes to bid it ends up being more than we think. He recommended that they do the decel first and then see where they stand, because for him the construction of that would be the priority. Mr. Poole stated that you would still need to choose between A, B or C to be able to lobby and talk about the direction of projects. He re-explained that A seemed to be a loss, B is less expensive, but C gives you the connector to Hope Ferry for another $3.1 million and that part certainly has value in the future. Mr. Poole stated that he thought that was the best way to go, but if you wanted to be tight with the dollars, then B is a reasonable answer as well.

Mayor MacDougall stated C and 2 seemed to be the best option. Mr. Ford responded that if you did C and have someone who wants to spend $10 million you could hold back and do the connector later. Mr. Poole stated that he did not think anyone wanted option A because it didn’t meet the numbers and was the most expensive project. Mayor MacDougall stated that they have to keep pushing so they had to go with C to keep the foot on the gas and not go back and keep fighting the fight.

Mr. Poole stated that he thought what everyone was saying was to go with C and do the items on LTIP for the decel lane and let a private developer do the other LTIP work and then the Town would be ready to lobby for C, but not continue the design. He added that the Town would continue to spend money on the design work but they would be lobbying for one. Mayor MacDougall stated that they would have time to make that decision and continue the design work and when the red flag goes up they can make a decision very quickly. Mr. Poole concurred that the Town had done all
the ground work for them to start a solid design. Mayor MacDougall confirmed to do what they said they would do on the LTIP.

A motion was made by Councilmember Maness and seconded by Mayor Pro-Tem Livingston to place this item on Council’s September 3, 2019 agenda. The motion was unanimously carried by all those present.

COUNCIL/STAFF COMMENTS: None.

PUBLIC COMMENTS: None.

ADJOURNMENT: There being no objection from Council, Mayor MacDougall adjourned the Council Work Session at 8:15 p.m.

EXECUTIVE SESSION II REPORT

A motion was made by Councilmember Maness and seconded by Councilmember Carnes to go into Executive Session II to discuss three contractual items regarding: the Town Sign Ordinance, Hospitality Tax and the Farmers Market. The motion was unanimously carried by all those present.

Mayor MacDougall reported that Executive Session II was called to order at 8:16 p.m. after a motion was made by Councilmember Maness and seconded by Councilmember Carnes to go into Executive Session I. The motion was unanimously carried by all those present (6). Council adjourned from Executive Session II at 8:37 p.m. after a motion was made by Councilmember Carnes and seconded by Councilmember Baker. The motion was unanimously carried by all those present. Mayor MacDougall reported that pursuant to SC Code §30-4-70(a) (1) and (2), Council met in Executive Session II to discuss: three contractual items regarding: the Town Sign Ordinance, Hospitality Tax and the Farmers Market. No vote was taken. A motion was made by Councilmember Maness and seconded by Mayor Pro-Tem Livingston to ratify the Mayor’s report. The motion was unanimously carried by all those present.

Respectfully submitted by:

Becky P. Hildebrand, CMC

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.