

MINUTES
Town of Lexington
Executive Session and
REGULAR COUNCIL MEETING
October 1 , 2018

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 October 1, 2018. 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, Economic Development Johnny Jeffcoat, Utilities and Engineering Director Allen Lutz, Assistant Finance Director Laraine Wieder, Parks and Sanitation Director Dan Walker, Assistant Parks and Sanitation Director Johnny Dillard, Events and Media Coordinator Jennifer Dowden, Digital Media Coordinator Darrell Pritchard, IT Specialist Alan Parker, Assistant Municipal Clerk Karen Hanner, and Municipal Clerk Becky Hildebrand.

There were approximately twelve (12) 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. Father Tom DiMarco, St. Alban's Episcopal Church, gave the invocation. Mayor MacDougall asked Lieutenant Matt Timmerman to lead the Pledge of Allegiance. Mayor MacDougall called the meeting to order at 6:32 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 Carnes and seconded by Councilmember Maness to go into *Executive Session*. The motion was unanimously carried. Council adjourned from *Executive Session* at 6:22 p.m. after a motion was made by Councilmember Maness and seconded by Councilmember Carnes. 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 legal advice regarding agenda items/existing ordinances; and two contractual matters regarding economic development matters. No vote was taken. A motion was made by Councilmember Maness and seconded by Councilmember Williams to ratify the Mayor's report. The motion was unanimously carried.

DELETIONS ON AGENDA: None.

PRESENTATIONS

1. **Welcome to New K-9 Unit, Officer Trey Kerwin and K-9 Officer “Nufo – Police Chief Terrence Green:** Chief Green introduced Officer Kerwin who has been a member of law enforcement for 16 years, 10 of which have been with the Lexington Police Department. Chief Green stated that he recently recognized the need for an additional K-9 Unit due to the number of calls being made by the current K-9 Unit. Fortunately there was a very generous business owner that wished to give back to law enforcement and presented a check for \$50,000 to be used for a K-9 Unit. Officer Kerwin introduced K-9 Officer “Nufo” to the Mayor and Council. “Nufo” was certified for narcotics in May and tracking in July. Officer Kerwin stated that that had already been on three calls.

Mayor Pro-Tem Livingston remembered 20 years ago when the Town got their first K-9 Officer “Ice” and she went on a drug raid with them. She stated that it was amazing to watch.

Mayor MacDougall welcomed the K-9 Unit and stated that they would make a great addition to the Police Department.

2. **Recognition of Lieutenant Matt Timmerman, FBI National Academy Graduate – Police Chief Terrence Green:** Chief Green was proud to announce that Lieutenant Timmerman had graduated from the FBI National Academy on September 13, 2018. Candidates attending the Academy must meet specific criteria to be accepted to the 10 week training program. Lieutenant Timmerman joined the Lexington Police Department in February 1997 and rose through the ranks of Corporal, Sergeant and being promoted to Lieutenant in 2007. Chief Green stated that Lieutenant Timmerman has worked in the Patrol Division, Criminal Investigation Division, Special Operations Division, and is currently the Officer of Professional Standards. Chief Green added that only 2% of all law enforcement officers attend the National Academy and the Town has had four graduates. He stated that it is a great achievement to go through the FBI National Academy and they are glad to have Lieutenant Timmerman back. (Standing ovation.)

Lieutenant Timmerman thanked the Mayor and Council and stated that he was grateful for all the support shown to him, his wife and his children. He added that they enjoy living in Lexington and he looks forward to the future with the Police Department.

3. **Domestic Violence Awareness Month Proclamation, Eric Russell, Director of Forensic and Outreach Services Dickerson Children’s Advocacy Center – Councilmember Todd Lyle:** Councilmember Lyle read a Proclamation declaring October 2018 as Domestic Violence Awareness Month in the Town of Lexington in order to provide an opportunity for citizens to learn more about preventing

MINUTES
REGULAR COUNCIL MEETING
October 1 , 2018

domestic violence and to show support for the numerous organizations like The Dickerson Children's Advocacy Center which provides critical services to victims of domestic violence. Councilmember Lyle presented the proclamation to Mr. Russell. He added that Chief Green would read the proclamation again at the Press Conference on October 24th.

Mr. Eric Russell thanked the Mayor and Council and stated that domestic violence is a huge problem and we have to do everything possible to combat it. He added that he retired from the Sheriff's Office last November and he knows that we are not going to arrest this problem away. He stated that the children of domestic violence will repeat it if they do not receive proper attention. He invited everyone to attend their press conference on October 24th at 10:00 a.m. at the Law Enforcement Monument in the Lexington Square Park.

VISION PLAN UPDATE

Mayor MacDougall announced: (1) Lexington Live will wrap up at the Icehouse Amphitheater with two final concerts on October 4th with *Finesse* and October 11th with *The Root Doctors* starting at 6:30 – 9:30 p.m. For a full list of events visit www.icehouseamphitheater.com. (2) Hops and Harvest Craft Beer Festival will be held at the Icehouse Amphitheater on November 9th from 6:00 to 10:00 p.m. Advanced tickets are \$30 or \$40 the week of the event and include a complimentary beer tasting glass, unlimited tastings and live music from Lexington's own Trent Jeffcoat. You must be 21 or older to attend and identifications will be checked to enter. Tickets may be purchased at www.icehouseamphitheater.com or at Fatz Café located at 942 East Main Street. Proceeds from the Hops and Harvest Craft Beer Festival will benefit the Virginia Hylton Park Committee and their efforts to upgrade the park as part of the Town's Vision Plan. (3) The Resurrection – A Journey Tribute Band (October 19th) and Edwin McCain (October 20th) concerts are both sold out events.

TRAFFIC UPDATE

Mayor Pro-Tem Livingston gave the Traffic Update: (1) The Ginny Lane and I-20 Exit ramp improvements are underway. Please be aware of changing traffic patterns, shoulder work, and nighttime lane closures in this area. (2) SCDOT has nearly completed the sidewalk project along US 1/Augusta Highway towards I-20 and is set to begin sidewalk installation along South Church Street near Roberts Street intersection in the coming weeks. The next Traffic Committee meeting will be Wednesday November 14, 2018 at 8:00 a.m. in the third floor conference room at Town Hall. 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 #3500-04-025 located at 4787 Sunset Boulevard.
2. **Final Reading** of an Ordinance for the Authorization of Water and Sewer Revenue Bonds and Bond Anticipation Notes.

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 Williams to approve **Final Reading of an Ordinance to Annex Lexington County Tax Map #3500-04-025 located at 4787 Sunset Boulevard.** The motion was unanimously carried. (Copy attached.)
2. A motion was made by Councilmember Carnes and seconded by Councilmember Lyle to approve **Final Reading of an Ordinance Authorizing Water and Sewer Revenue Bonds and Bond Anticipation Notes.** The motion was unanimously carried. (Copy attached.)

NEW BUSINESS

1. **Expansion of the Downtown Overlay District:** The Downtown Overlay District allows some flexibility in the zoning and landscape requirements for properties that are part of the overlay. It is intended to encourage occupancy of existing buildings and protect the unique character of the downtown area. With the One Way Pair Project completed and plans being developed to widen North Lake Drive, the Planning Commission has recommended expanding the overlay district to include all properties that front on North Lake Drive and Columbia Avenue as shown on the attached map. (Copy attached.)

A motion was made by Councilmember Williams and seconded by Councilmember Baker to approve First Reading of an Ordinance to expand the Downtown Overlay District. The motion was unanimously carried.

2. **First Reading of an Amendment of §34.38 of the Town of Lexington Code of Ordinances Regarding Filing by Candidates for Mayor and Council:** Town Council was asked to consider changing its method of qualifying candidates for the Municipal Election Ballot. Currently State Law allows either the Petition method, which the Town currently uses, or the filing of a Statement of Candidacy and payment of a filing fee. There is currently little guidance on the

MINUTES
REGULAR COUNCIL MEETING
October 1, 2018

allowed amount of the filing fee for non-partisan Municipal Elections. There is some concern that a fee which is too high may be seen as inequitable. Attached is a list of filing fees for other jurisdictions in South Carolina. At the Council Work Session in September, it was recommended that the filing fee be set at 1 ½% of the total salary for the term of office. This would set the filing fee for the Mayor at \$750 and for Council would be \$630. Council was provided a draft of the proposed ordinance and a sample Statement of Candidacy. (Copies attached.)

A motion was made by Councilmember Baker and seconded by Mayor Pro-Tem Livingston to approve First Reading of an Ordinance Amendment of §34.38 of the Town of Lexington Code of Ordinances Regarding Filing by Candidates for Mayor and Council as stated. Councilmember Lyle stated that having recently collected over 1,000 signatures on two occasions over the past four months he was very excited that the Town may do this and he looked forward to it. Mayor Pro-Tem Livingston stated that this has been a tough decision for her to make over the years because she still believed in the Signature Petition process, but she agreed it is probably time to go a different route. The motion was unanimously carried.

3. **First Reading of an Ordinance Relating to the Setoff Debt Collection Act:** The Town currently participates in the Setoff Debt Collection Program offered by the SC Department of Revenue through the Municipal Association of SC. This program withholds income tax refunds from individuals to pay past due water and sewer fees when the individual has left the Town without paying their final bill. Over the last three years, the Town has collected an average of approximately \$10,000 in bad debts using this program. To continue participation in this program the Town must adopt the attached ordinance and sign an agreement with the Municipal Association of SC. (Copies attached.)

A motion was made by Councilmember Lyle and seconded by Councilmember Maness for First Reading approval of an ordinance relating to the Setoff Debt Collection Act as stated. The motion was unanimously carried.

4. **First Reading of an Amendment to the Lane Closure Ordinance:** At the September 17, 2018 Work Session Council discussed an amendment to the Restrictions for Daytime Lane Closures due to construction on US 1, US 378 and SC 6, Ordinance 2018-11. The proposal states: *“Daytime construction related lane closures along US Highway 1, US Highway 378 and SC Highway 7 within the Town of Lexington shall require the possession of a Town of Lexington issued permit. Any lane closure requested to take place between the hours of 9:00 a.m. and 4:00 p.m., if permitted, could be limited in duration to no more than two hours. Details for each lane closure will be as defined by the permit”*.

MINUTES
REGULAR COUNCIL MEETING
October 1 , 2018

A draft of the proposed amended ordinance and copy of the existing ordinance were provided for Council's review. (Copies attached.)

A motion was made by Mayor Pro-Tem Livingston and seconded by Councilmember Baker to approve First Reading approval of an amendment to Ordinance #2018-11 regarding Restrictions for Daytime Lane Closures due to construction on US 1, US 378 and SC 6 as stated. The motion was unanimously carried.

5. **Electric Service Areas for SCE&G and MCEC:** In an effort to prevent service disputes, SCE&G and MCEC have tentatively agreed to a new map delineating their service areas. Each of the respective entities serves customers in the corporate limits of the Town of Lexington, and acquiescence to the agreement is requested from the Town of Lexington. (Copy attached.)

A motion was made by Councilmember Maness and seconded by Councilmember Carnes to approve the new map delineating service areas for SCE&G and MCEC and to approve the new agreement as attached between SCE&G and MCEC and the Town. The motion was unanimously carried.

6. **Lexington District One Educational Foundation Celebration of Excellence in Education:** Town Council has budgeted \$1,000 for the Lexington District One Educational Foundation Celebration of Excellence in Education event each year since 2013. At the September 17, 2018 Council Work Session, Ms. Julie Washburn, Executive Director of the Lexington District One Educational Foundation, requested Council consider increasing the Town's sponsorship level to a Diamond Sponsor at \$2,500. This event honors the top 10% of graduating seniors from the five high schools I District One. Council was provided a copy of the request letter and sponsorship form. (Copies attached.)

A motion was made by Councilmember Carnes and seconded by Councilmember Williams to approve a sponsorship in the amount of \$1,750 to the Lexington District One Educational Foundation Celebration of Excellence in Education. The motion carried with a vote of six (6) in favor of the motion and one (1) opposed (MacDougall).

7. **Lexington Sertoma Club Sponsorship Request:** The Lexington Sertoma Club will hold their annual Big Thursday event in the Town's Conference Center on October 18, 2018. Mr. Butch Ballington contacted Mayor MacDougall and requested a \$500 Field Goal Sponsorship which would reserve a table for eight at the event. Budget and Finance: Council's Contribution Budget balance for 2018/19 is \$6,350. (Copy attached.)

MINUTES
REGULAR COUNCIL MEETING
October 1 , 2018

A motion was made by Councilmember Williams and seconded by Councilmember Maness to approve a \$500 Field Goal Sponsorship to the Sertoma Club for Big Thursday. The motion was unanimously carried.

ANNOUNCEMENTS

Councilmember Baker made the following announcements: (1) As previously mentioned, this Thursday is the Lexington Live Concert Series at 6:30 with Finesse. So come out Thursday for some great music! And next Thursday The Root Doctors will be back! (2) Also this Thursday, the Board of Zoning Appeals will meet at 5:30 in the Council Chambers. (3) On October 13th the Lexington County Museum will host Murders and Mysteries Tour at 8:00 p.m. (4) Council will meet again on October 15th at 6:00 p.m. for the Council Work Session in the Eli Mack Room. (5) The Board of Appearance will meet at 9:00 a.m. on October 16th in the Council Chambers. (6) The Planning Commission will meet Wednesday, October 17th at 8:00 a.m. in the Council Chambers. (7) On October the 18th and 19th the Lexington County Museum will host their Haunted History Tour at 231 Fox Street with tours starting at 7:00, 8:00 and 9:00 p.m. Tickets are \$6 for adults and \$3 for children. (8) The Lexington Police Department will hold their annual Fall Festival on October 23rd from 5:30 to 8:30. Tickets are \$5 per person or \$20 per immediate family. He thanked the Police Department for always making this a great event! He added that he had attended the event the last few years and it is a fun event for everyone. (9) The Dickerson Center will host Domestic Violence Awareness Day on October 24th at 10:00 a.m. at the Lexington Square Park. (10) The Lexington County Recreation and Aging Commission will host two Movies in the Park and a Trick-or-Treat Trail in the Virginia Hylton Park on October 26th at 6:30 with Toy Story of Terror and October 27th at 7:00 with So the Story Goes. (11) On October 31st the Mayor, along with the Lexington County Blowfish will host the 2018 Mayor's Prayer Breakfast at Lexington County Baseball Stadium from 7:30 a.m. to 9:00 a.m. The speaker is Adrian Despres who was the Chaplain for USC's football team from 2000-2015. To purchase tickets which are \$10, visit www.goblowfishbaseball.com. Councilmember Baker wished everyone a great October and a Happy Halloween! He thanked the citizens for watching their Town Council in action tonight.

Mayor MacDougall recognized Chuck and Dawn Corley. He thanked them for their service to the Town and apologized that the Boards and Commissions event had to be postponed due to Hurricane Florence.

Mayor MacDougall recognized Kayla, a River Bluff High School student, who shadowed him during the day. He added that her parents were previously neighbors but they had moved to another part of town and they still attend church together. He thanked her for coming to the meeting.

NEWS MEDIA QUESTIONS: None.

MINUTES
REGULAR COUNCIL MEETING
October 1 , 2018

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 7:03 p.m.

Respectfully submitted,

Becky P. Hildebrand, CMC
Municipal Clerk

APPROVED:

Steve MacDougall
Mayor

**MINUTES
REGULAR COUNCIL MEETING
October 1 , 2018**

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.