

MINUTES
Town of Lexington
Executive Session and
REGULAR COUNCIL MEETING
April 2, 2012

Town Council held an Executive Session at 5:30 on April 2, 2012 followed by the Regular Council Meeting on which started at 6:30 p.m. in the Council Chambers at 111 Maiden Lane, Lexington, S.C. The meetings were attended by Mayor Randy Halfacre, Mayor Pro-Tem Hazel Livingston, Council Members Kathy Maness, Ted Stambolitis, Danny Frazier and Steve MacDougall. Councilmember Shevchik attended the Executive Session and was not present for the Regular Council meeting due to illness.

Staff members present were: Town Administrator Britt Poole, Assistant Town Administrator Stuart Ford, Town Attorney Brad Cunningham, Police Chief Terrence Green, Director of Planning, Building and Technology John Hanson, Community and Economic Catalyst Johnny Jeffcoat, Utilities and Engineering Director Allen Lutz, Finance Director Kathy Roberts, Director of Parks, Streets and Sanitation Dan Walker, Grants Administrator Wesley Crosby, Events and Media Coordinator Jennifer Dowden and Municipal Clerk Becky Hildebrand.

There were approximately twenty-five (25) citizens, students and scouts were present and no reporters from the news media.

EXECUTIVE SESSION REPORT

Mayor Halfacre reported that the *Executive Session* was called to order at 5:33 p.m. after a motion was made by Councilmember MacDougall and seconded by Mayor Pro-Tem Livingston to go into *Executive Session*. The motion was unanimously carried by all those present. (Councilmembers Frazier and Shevchik were not present for the vote.) Council adjourned from *Executive Session* at 6:25 p.m. after a motion was made by Councilmember Shevchik and seconded by Mayor Pro-Tem Livingston. The motion was unanimously carried by all those present. (Councilmember MacDougall was not present for the vote.) Mayor Halfacre reported that Council met in *Executive Session* to discuss: two contractual issues including the sewer contract and economic development; and six updates on pending legal issues. No vote was taken. A motion was made by Councilmember Frazier and seconded by Councilmember Maness to ratify Mayor Halfacre's *Executive Session* report. The motion was unanimously carried by all those present.

INVOCATION, PLEDGE OF ALLEGIANCE AND CALL TO ORDER: Mayor Halfacre introduced the Council Members. He welcomed everyone to the Council meeting including Boy Scout Troop #307 from Saxe Gotha Presbyterian Church who were working on their Citizenship in the Community Merit Badge. Councilmember Maness gave the invocation. Councilmember MacDougall led in the Pledge of Allegiance. Mayor Halfacre called the meeting to order at 6:40 p.m.

ADDITIONS/DELETIONS

Mayor Halfacre requested the following item be added as New Business Item #1: Temporary Capital Contribution Fee Policy Extension.

There being no objections from Council, the item was added.

APPROVAL OF MINUTES: A motion was made by Councilmember Maness and seconded by Councilmember MacDougall to approve the minutes from Council's Work Session held on March 19, 2012. The motion was unanimously carried by all those present.

PRESENTATIONS

1. **Earth Day – Mayor Randy Halfacre:** Mayor Halfacre read a proclamation declaring April 22, 2012 as Earth Day in the Town of Lexington. (Copy attached.)
2. **Miss Wildcat – Councilmember Steve MacDougall:** Councilmember MacDougall read a proclamation honoring Miss Lauren Biggerstaff, a Senior at Lexington High School, for winning Miss Wildcat 2012. He then presented the proclamation to Miss Biggerstaff. (Copy attached.)
3. **Industry Appreciation Week – Mayor Randy Halfacre:** Mayor Halfacre read a proclamation designating April 16 through April 20, 2012 as Industry Appreciation Week. Mayor Halfacre presented the proclamation to the Lexington Chair-Elect, Mike Flack. Mayor Halfacre also recognized County Councilmembers Banning and Jeffcoat, Glenn Martin and Scott Adams who recently won the Economic Ambassador Award for Lexington County. (Copy attached.)
4. (Deferred to May, 2012 Council Meeting.) **Lexington High School 45th Class Reunion Proclamation – Councilmember Ted Stambolitis.**

TRAFFIC UPDATE

Mayor Pro-Tem Livingston provided an update on the Town of Lexington's continuing efforts to improve traffic. (1) The relocation of utilities lines has begun for Phase I which includes Butler Street, Columbia Avenue, Main Street, Park Street and Old Chapin Road. Construction is to begin in November 2012, but the Town hopes it will begin the fully funded project by the summer. (2) SCDOT has given the Town its LPA certification for the interchange enhancement at Highway 378/I-20. Final plans are in the works and bids for the project will go out within the next few weeks. (3) The Traffic Committee is considering adding Old Chapin Road to the list of sidewalks projects. During the past five years the Town has added 5.1 miles of sidewalks with another 1.68 miles in the process of construction. Mayor Pro-Tem Livingston asked if anyone has any traffic issues to please contact 359-1027. The next Traffic Committee

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meeting will be held on April 17, 2012 at 8:00 a.m. in the Eli Mack, Sr. Room at Town Hall.

Mayor Halfacre stated that the Town started the Phase I Traffic Plan over seven years ago and after accumulating \$14.5 million, the Town is now on the threshold of seeing the project come to fruition. He hoped they did not have to wait until November to get started. He added that citizens don't see all the work that goes on behind the scenes, but they will soon see the construction portion start. Mayor Halfacre thanked the Council, County Council, and Staff for all their work on the traffic project. He stated that Mike Flack, while at the Chamber 10 years ago, was the one that brought attention to the fact that traffic could choke off commerce

PUBLIC HEARINGS: None.

OLD BUSINESS: None.

NEW BUSINESS

1. **An Ordinance Annexing 133 Pilgrim Point Drive – Lexington County Tax Map #3420-01-051:** Daniel E. Shoultz and Patty K. Shoultz own a property located at 133 Pilgrim Point Drive, and petitioned for annexation. A residence is currently being constructed on the property. Properties already in the Town limits located in this area are zoned Protected Residential (PR) and Pilgrim Point Drive is already classified as a Residential Local Six (RL6) road. The Planning Commission will provide a zoning recommendation for this property during their April 18, 2012 meeting.

A motion was made by Mayor Pro-Tem Livingston and seconded by Councilmember Frazier to approve first reading of the ordinance as stated. The motion was unanimously carried by all those present.

2. **“It’s All About Herbs Festival”:** The “Herb Bunch” is a non-profit club affiliated with the Clemson Extension Service. They are organizing its premier “It’s All About Herbs Festival” to be held on Saturday, April 28, 2012 at the Lexington County Museum. The “Herb Bunch” requested a contribution for the festival and other community projects. (Letter attached.) Levels of contributions are: Level I: \$150.00; Level II: \$250.00; and Level III: \$500.00. At Council’s March 19, 2012 Work Session it was recommended for the Town of Lexington to make a contribution to the “It’s All About Herbs Festival” at Level I: \$150.00.

A motion was made by Councilmember Maness and seconded by Councilmember Stambolitis to approve a contribution in the amount of \$150.00 to the “Herb Bunch” for their April 28, 2012 festival. The motion was unanimously carried by all those present.

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3. **Accommodations Tax Committee Award Recommendations:** The Accommodations Tax Advisory Committee met on March 7, 2012 to review and make recommendations regarding the allocation of the 2012 Town of Lexington Accommodations Tax funding. A copy of the spreadsheet listing the applicants who applied and the Accommodations Tax Committee's award recommendations was provided for Council's review and approval. (Copy attached.) Award amounts equaled \$50,254.18 from the 65% Accommodations Tax funds available for distribution. Total Accommodations Tax Revenue for Fiscal Year Ending June 30, 2011 = \$101,568.00 - First \$25,000 to General Fund - 5% to General Fund \$3,828.40 – 30% to Special Fund Advertising and Promotion Lexington Chamber \$22,970.40 = \$49,769.20 + Balance carried forward from prior year \$4,690.24 + Interest \$484.98 = \$54,459.44 (Expenditures).

	<u>Requested</u>	<u>Committee Recommended</u>	<u>Council Recommended</u>
Capital City Lake Murray Country Columbia Metro Convention & Visitors Bureau	\$ 4,500	\$2,500	\$ 0
Columbia Museum of Art	\$ 10,000	\$1,000	\$ 0
Columbia Regional Sports Council	\$ 5,000	\$ 500	\$ 0
Community Open Land Trust	\$10,000	\$1,000	\$ 0
Lexington Chamber/Visitor Center	\$ 4,000	\$ 0	\$ 0
Lexington Choral Society	\$30,000	\$27,500	\$29,500
Lexington County Museum	\$ 6,000	\$1,254.18	\$1,254.18
Lexington County Soccer Club	\$ 7,000	\$5,000	\$5,000
Lexington Dixie Baseball	\$ 5,000	\$2,000	\$5,000
Lexington Festivals/OktoberFest	\$ 5,000	\$5,000	\$5,000
Lexington Interfaith Comm Serv	\$ 5,000	\$1,000	\$1,000
Topspin Adult Classic	\$10,000	\$ 0	\$ 0
Topspin Junior Classic	\$ 2,500	\$1,000	\$ 500
White Knoll High/Red Bank Baseball	\$ 2,500	\$1,000	\$ 500
	\$ 5,000	\$1,500	<u>\$2,500</u>
			\$50,254.18

Mayor Halfacre recused himself from the discussion and vote since he is employed by the Lexington Chamber, an entity requesting funds. (Recusal Statement attached.) Mayor Pro-Tem Livingston called for questions, changes or discussion. There was none. A motion was made by Councilmember Stambolitis and seconded by Councilmember Frazier to approve the Accommodations Tax awards as listed above and "Recommended by Council". The motion was carried by a vote of five (5) in favor and one (1) recused (Halfacre). Mayor Pro-Tem Livingston confirmed that a second reading was not required, only an approval.

4. **Sunset Boulevard Sewer Main Extension:** The Utilities Director was asked to estimate the cost for a sewer main extension to serve the property located at 4835

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Sunset Blvd. The following five plans were given as possible routes for the extension:

- (A) A 2,200 foot extension would cost approximately \$136,700.00 and would require at least three (3) easements. The Town would have to get 72 CCF's at in-town rates to break even. (This does not include easement cost and would only provide service to three (3) parcels.)
- (B) A 2,300 foot extension would cost approximately \$141,600.00 and would require at least six (6) easements. The Town would have to get 75 CCF's at the in-town rate to break even. (This does not include easement cost and could provide service to approximately seven (7) properties.)
- (C) A 1,700 foot extension would cost approximately \$103,800.00 and would require five (5) easements. The Town could have to get 55 CCF's at the in-town rate to break even on the construction cost. (This does not include easement cost and would provide service for three (3) properties.)
- (D) A 2,300 foot extension would cost approximately \$158,700.00 and would require five (5) easements if done on the North side of Sunset and eleven (11) easements if done on the South side. The Town would have to get 84 CCF's at the in-town rate to break even. (This does not include easement cost and the North side could provide service to four (4) properties and the South side could provide service to twelve (12) properties.)
- (E) A 2,005 foot extension would cost approximately \$136,228.00 and would require at least five (5) easements. The Town would have to get 72 CCF's at the in-town rate to break even. (This does not include easement cost and would provide service to five (5) properties.)

Easement acquisition cost is difficult to project; however, property values along Sunset Boulevard (Highway 378) will be high compared to less developed commercial areas. Council was asked to determine if they were interested in pursuing possible installation of sewer lines to these properties. Funds would have to be appropriated for the project.

A motion was made by Councilmember Frazier and seconded by Mayor Pro-Tem Livingston for approval of the estimate as stated in item (E) for \$136,228.00. Councilmember Frazier stated that this plan will best suit the new developments in the area and there would be no cost to the Town for easements in that all the properties owners have agreed to give right-of-way for the easements. Mayor Halfacre stated that it is very unusual to have no cost for easements and he guessed that the property owners knew this would be good for them, a good investment, and good for the Town. Councilmember Frazier stated that Enterprise will soon be annexed and there are other businesses that will be annexed in relation to the Corley tract across

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the road including a movie theater. Councilmember Stambolis asked about the in-town rates for CCF's and if this property has potential for development. Town Administrator Poole responded that normally when properties are close to Town they are sold CCF's at the in-town rate and if they are not in Town within six months they are asked to pay the difference. Councilmember Frazier responded that this is in conjunction with some other properties coming on line. He added that there has been additional talk about the movie theater and others that cannot be discussed at this time. Mayor Halfacre stated that he was in a meeting with a real estate developer today and she told him that commercial development has "perked up again". He added that this property bridges a gap in businesses near Wingate and the new McDonalds and further up Highway 378 near the creek and it is a tremendous investment for the future of the Town. Mayor Halfacre stated that the saying "build it and they will come" also applies to water and sewer. Councilmember Stambolitis stated that future developers from out of state will see this as attractive property with infrastructure. The motion was unanimously carried by all those present.

5. (Added.) **Temporary Capital Contribution Fee Policy Extension:** Council initially approved a Temporary Capital Contribution Fee Policy Amendment in February 2, 2009 to encourage development during the recession. The policy, in part, waived the requirement that purchases of certificates after the initial prepayment be in minimum increments of 10 certificates (allowing for minimum purchase of 1 certificate versus 10). The policy was extended a second time which expired February 29, 2012.

A motion was made by Councilmember Frazier and seconded by Councilmember Maness to approve another extension of the amended Capital Contribution Fee policy for six (6) additional months expiring on August 31, 2012. Councilmember Stambolitis stated that it was admirable of Councilmember Frazier to consider the builders in that they are still suffering and this will give them a break. Mayor Halfacre stated that this would probably be the last extension unless they have to look at it again due to gas prices. The motion was unanimously carried by all those present.

COMMENTS

Mayor Randy Halfacre wished a Happy Birthday to all Town employees celebrating birthdays in April including Councilmember Maness' birthday. He commended Councilmember Maness on being the first woman from South Carolina to be elected as the President of National Leagues of Cities Women in Municipal Government. Mayor Halfacre announced that the Town would be closed on April 6, 2012 in observance of Good Friday. He stated that the Council just returned from a retreat in Neeses, S.C. to review the Town proposed Vision Plan. He added that he looks forward to voting on the Vision Plan and bringing it to the citizens of Lexington. Mayor Halfacre stated that the Town didn't wait on the Vision Plan to start the Farmers Market last year and this year

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the Market will be back on Butler Street. He added that another project is the Lexington Square which is a partnership with law enforcement, Lexington County, the Lexington Beautification Foundation and the Town. Mayor Halfacre stated that the new park on the corner of Main Street and Highway 6 is just a start to begin bringing people downtown. Mayor Halfacre stated that a person running for County Council made comments in a public forum that he was opposed to the County spending \$600,000 on trees. He stated that the person was wrong in that the County is not spending any money on trees, but they are spending some in-kind staff time as a contribution. Mayor Halfacre stated that it was disturbing to hear a candidate for County Council make those types of comments. He added that this community is moving forward and citizens want to revitalize downtown as heard through the Town's Vision Plan process. Mayor Halfacre encouraged everyone to attend the Town's Historic Preservation Review Board's reception for the John C. Calhoun silver on April 10, 2012 at 5:45 p.m. Mayor Halfacre congratulated his son-in-law for graduating from the Criminal Justice Academy and he now serves the Town of Batesburg-Leesville. He wished everyone a Happy Easter and a great spring break.

Mayor Pro-Tem Livingston thanked Mayor Halfacre for heading up the Vision Plan process. She stated that she was hesitant about the process at first, but after seeing the plan come together at the recent retreat, she was very impressed with what Council is looking to do in the future and to actually see things happening. She agreed that the Lexington Square is the first step and it will have a "wow" factor based on the drawings she has seen. She thanked everyone for the partnerships that were formed to see the project come together. Mayor Pro-Tem Livingston stated that the project was primarily possible from in-kind donations and funds raised at the Lexington Wine Walk. She added that it will be ready for the Law Enforcement Memorial dedication on May 17, 2012. She thanked Dan Walker for all his help on the project as well as the County Staff. Mayor Pro-Tem Livingston stated that the Lexington Beautification Foundation wanted to remind everyone that the Wine Walk is coming up on May 12, 2012 and they are still looking for sponsors. She stated that another large project for beautification will be the \$600,000 interchange enhancement at Highway 378 and I-20. She added that this will be the first "front porch" into Lexington.

Mayor Halfacre confirmed that large projects do not happen overnight and it takes time to accumulate funds from grants and sponsors along with Staff juggling their time to help build the projects. He stated that the "front porch" is one of three areas that the Town will focus on: Corridor Development; Downtown Revitalization, and Economic Community Development/Jobs. He added that Council would expand on each category when the Vision Plan is introduced.

Councilmember Kathy Maness congratulated Lauren Biggerstaff for winning Miss Wildcat 2012. She also thanked her for coming out Saturday to help with the Great Lexington Clean Up. She welcomed Ms. Howell, third grade teacher at Midway Elementary, and thanked her for what she has done for her son. Councilmember Maness reminded everyone that school is out next week for spring break. She wished everyone a wonderful Easter.

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Councilmember Ted Stambolitis wished Councilmember Maness a Happy Birthday and for finally catching up to his age. He thanked the Mayor and Council for working hard on the Vision Plan. He added that it is an ideology for how they want the Town to look. He stated that the Council, Staff and The Boudreaux Group has worked hard to put this plan together. Councilmember Stambolitis stated that he is really happy that the Mayor and Council are getting behind the downtown revitalization efforts. He looks forward to seeing traffic move through that area and filling up some store spaces. Councilmember Stambolitis announced that Staff has put together a façade improvement program for Main Street. He added that if you have a store front on Main Street that needs fixing up, you can apply to the Town where a fund for up to \$5,000 can be used to help improve the facade. Councilmember Stambolitis stated that he and Council wants to do whatever they can to help the businesses be a success and improve downtown. He added that all the ideas are exciting that will dress up downtown and other areas of Lexington in order to welcome people to the Town. He looks forward to watching all the projects unfold. Councilmember Stambolitis wished everyone a Happy Easter.

Councilmember Danny Frazier congratulated Councilmember Maness for representing the Town so well at the National League of Cities and he thanked her for all her hard work. He stated that the Town is growing and over the next year as you travel in the area you will see a lot of revitalization and developments with partnerships of the County and other Municipalities. He commended County Councilmembers Jeffcoat and Banning for working hard for the County and the citizens and for helping improve the relationship between the County and the Town. Councilmember Frazier stated that he went to the groundbreaking event for Nephron last Friday and Mr. Jeffcoat and Mr. Banning were instrumental in getting that company to come to Lexington County with a \$300 million project with starting salaries at \$60,000. He stated that Lexington Square is going to be beautiful. He thanked Police Chief Green for heading up the project to get the memorial completed. He thanked Jewitte Dooley for all her work with the Lexington Beautification Foundation and for helping bring the money to the Lexington Square project. Councilmember Frazier stated that the grant for the interchange enhancement was an exciting project and it will make a great entrance to Lexington. He thanked the Mayor for leading the Council even at times when they have a lot of opinions. He added that it looks all nice sometimes, but behind the scenes the Mayor has to referee at times. He stated that with Mayor Halfacre's guidance, the Town is moving forward.

Councilmember Steve MacDougall announced that the 6th Annual Great Lexington Clean-Up day was a huge success last Saturday which was sponsored by Advanced Disposal and Keep the Midlands Beautiful. He added that 820 pounds of trash was collected during the four hour event. He stated that volunteers included the Lexington High School National Honor Society, Meadowglen Elementary PTO, School Improvement Council and USC's National Honor Society. He thanked the Town's Advisory Committee, Councilmember Maness and Jennifer Dowden all for helping with the event.

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Town Administrator Britt Poole thanked the Council and Staff for attending the recent retreat. He added that it was time well spent and Council was able to focus on projects that are on the horizon. He wished everyone a Happy Easter.

Mayor Halfacre agreed that it was time well spent and it had been a decade since the Council held a retreat. He added that the hunt club in Neeses, S.C. was very nice, the food was great, and they were able to build some partnerships, especially with Councilmember MacDougall being new on Council. Mayor Halfacre stated that even Councilmember Frazier sat for a day and a half and was very focused and brought a lot to the table.

PUBLIC COMMENT: None.

ADJOURNMENT

Mayor Halfacre thanked the Council Members and citizens for attending the Council meeting. He hoped to get Mike Flack home in time to watch his Kentucky Wildcats. He thanked those at home for viewing the Council meeting on Channel 2 and it will also be replayed several times during the week.

A motion was made by Councilmember Maness and seconded by Mayor Pro-Tem Livingston to adjourn the Council Meeting. The motion was unanimously carried by all those present.

The Regular Council meeting was adjourned at 7:31 p.m.

Respectfully submitted,

Becky P. Hildebrand, CMC
Municipal Clerk

APPROVED:

T. Randall Halfacre
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.