

MINUTES
Town of Lexington
Executive Session and
REGULAR COUNCIL MEETING
May 7, 2012

Town Council held an Executive Session at 5:30 on May 7, 2012 followed by the Regular Council Meeting 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, Todd Shevchik and Steve MacDougall.

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, Events and Media Coordinator Jennifer Dowden, and Municipal Clerk Becky Hildebrand.

There were approximately sixty (60) citizens and students present and one (1) reporter from the news media.

EXECUTIVE SESSION REPORT

Mayor Halfacre reported that the *Executive Session* was called to order at 5:32 p.m. after a motion was made by Councilmember Maness and seconded by Councilmember Stambolitis to go into *Executive Session*. The motion was unanimously carried by all those present. (Mayor Pro-Tem Livingston was not present for the vote.) Council adjourned from *Executive Session* at 6:26 p.m. after a motion was made by Councilmember Maness and seconded by Councilmember Shevchik. The motion was unanimously carried. Mayor Halfacre reported that Council met in *Executive Session* to discuss: four contractual issues including the sewer contract and economic development, two updates on pending legal issues, and one personnel matter. No vote was taken. A motion was made by Councilmember Stambolitis and seconded by Councilmember Maness to ratify Mayor Halfacre's *Executive Session* report. The motion was unanimously carried.

INVOCATION, PLEDGE OF ALLEGIANCE AND CALL TO ORDER: Mayor Halfacre introduced the Council Members and welcomed everyone to the Council meeting. He introduced several community leaders and other elected officials in the audience. Councilmember Maness gave the invocation. Mayor Pro-Tem Livingston led in the Pledge of Allegiance. Mayor Halfacre called the meeting to order at 6:38 p.m.

APPROVAL OF MINUTES: A motion was made by Councilmember Maness and seconded by Councilmember Stambolitis to approve the minutes from Council's Work Session held on April 16, 2012. The motion was unanimously carried.

PRESENTATIONS

1. **Town of Lexington Vision Plan – Ms. Irene Tyson, the Boudreaux Group:** Ms. Tyson presented the Town's Vision Plan with a ten minute power point presentation. She thanked the Mayor and Council for the opportunity to work on the Town's Vision Plan along with Johnny Jeffcoat, the Dennis Corporation and many others. She added that it had been exciting to get to know Lexington and the citizens and help to make a plan for the future. Ms. Tyson stated that they received input from over 400 citizens about their dreams for Lexington. She stated that from that they developed a plan that is divided into several categories and goals. She added that there are three main categories: Corridor Development, Economic and Community Development Management, and Downtown. She stated the primary goals as: Improve Traffic Flow, Create a vibrant Destination Main Street, Support and Encourage an Iconic Presence on Lake Murray, Preserve and Celebrate the Origins of Lexington, Create a Welcoming Atmosphere with Beautiful Landscaped "Front Porches", Improve Pedestrian and Bike Access and Connectivity, Remain a Charming Small Town in the Face of Exponential Growth, Provide for the social and Recreational Needs of Residents, and Respect the Unique Rural Character of Lexington. She reviewed the accomplishments that were already underway including the Lexington Farmers Market and the Lexington Wine Walk Beautification projects. She reviewed the project priority phasing from 2012 through 2015. She commended the Mayor, Council, Staff and citizens for building a Lexington for the future and it will become even more vibrant and beautiful. (Copy of Vision Plan attached.)

Mayor Halfacre thanked Ms. Tyson for the great presentation. He stated that the Town's Vision Plan is a long term plan and in a way a wish list, but if you don't have a plan you will not get there. He added that this Council, as well as future Councils, will use this plan to have a road map to continue making Lexington a better place. He thanked all those involved in helping to put the plan together and for keeping it a focus.

Councilmember Maness introduced Senator Shane Massey, whose district now includes part of Lexington, and asked for him to comment on the Vision Plan.

Senator Shane Massey stated that he was excited to see the plan for Lexington and he congratulated Council on providing an outline to follow. He added that with the redistricting process, his area has moved significantly into Lexington representing approximately 20,000 people with South Lake Drive being the dividing line. He still represents four other counties as well. Senator Massey thanked the Mayor and Council and offered his help if it is ever needed because their goals were the same - to serve the citizens in the best way they can.

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2. **Peace Officers Memorial Day Proclamation – Chief of Police Terrence Green:** Chief Green read a proclamation recognizing May 15, 2012 as Peace Officer’s Memorial Day. (Copy attached.)
3. **Industry Appreciation Day Proclamation – Mayor Randy Halfacre:** Mayor Halfacre read a proclamation honoring Scott Adams and the week of April 16 – 20, 2012 as Industry Week. (Copy attached.)
4. **Lexington Police Department Accreditation Proclamation – Mayor Randy Halfacre:** Mayor Halfacre read a proclamation recognizing the Lexington Police Department for receiving recertification status on March 24, 2012 from the Commission on Accreditation for Law Enforcement (CALEA) after completing an extensive week of meetings, paperwork, and exercises during November. (Copy attached.)
5. **Citizens Academy Awards – Chief of Police Terrence Green:** Chief Green presented two Citizens Awards: (1) To David Longstreet for his bravery in rescuing a mother and child from a burning vehicle. (2) To Laura McMahan, Principal of Lexington Middle School, in honor of her retirement after 45 years as an educator. Chief Green also officially named Ms. McMahan as an honorary “Captain” of the Lexington Police Department.
6. **45th Anniversary of the Lexington High School Class of 1967 Proclamation – Councilmember Ted Stambolitis:** Councilmember Stambolitis read a proclamation recognizing the 45th Anniversary of Lexington High School’s Class of 1967. Mr. Leaphart thanked the Mayor and Council and summarized many of the accomplishments of the Class of 1967 and professions they pursued. (Copy attached.)
7. **National Teacher Week and SC Teacher of the Year Ms. Lisa Rose Proclamation – Councilmember Kathy Maness:** Councilmember Maness read two proclamations: (1) Recognizing May 7 – 11, 2012 as Teacher Appreciation Week in Lexington. The proclamation also recognized Ms. Lisa C. Rose, biology teacher from White Knoll High School, as Lexington One’s District Teacher of the Year. (2) Recognizing May 21 – 25, 2012 as Lexington School District One’s Teacher Appreciation Week and was presented to Ms. Connie McFarland. (Copy attached.)
8. **Davis-Frawley Law Firm 50th Year Anniversary Proclamation – Councilmember Danny Frazier:** Councilmember Frazier read a proclamation recognizing the 50th Anniversary of the Davis-Frawley Law Firm. (Copy attached.) Mr. Randy Davis thanked the Mayor and Council and stated that the firm was proud to be on Main Street.
9. **“Kids to Parks Day” Proclamation – Councilmember Todd Shevchik:** Councilmember Shevchik read a proclamation recognizing May 21, 2012 as “Kids to

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Parks Day” in Lexington, and as recognized by the National Park Trust. (Copy attached.)

10. **Lexington Technology Center Fire Fighter Competition Winners Proclamation – Councilmember Steve MacDougall:** Councilmember MacDougall read a proclamation recognizing LTC’s Fire Fighting Class, Team #4, as the Hydrant Trophy winner for 2012. The team included Kaitlyn Simmons (Team Captain), Taylor Hatcher, Bridget Lang and Paul Austin Waites. (Copy attached.)

11. **National Registered Nurses Week – Mayor Pro-Tem Hazel Livingston:** Mayor Pro-Tem Livingston read a proclamation recognizing May 6 – 12, 2012 as National Registered Nurses Week. She presented the proclamation to several nurses including her daughter Jessica Bleakley; Councilmember MacDougall’s wife, Jamie MacDougall; and Barbara Willm from Lexington Medical Center.

TRAFFIC UPDATE

Mayor Pro-Tem Livingston provided an update on the Town of Lexington’s continuing efforts to improve traffic. (1) The relocation of utility lines had begun on the Town’s Phase I Traffic Plan. SCDOT moved the start date to this summer. (2) The Town is waiting for SCDOT to approve final drawings of the interchange improvement plan at I-20 and Highway 378. It should be put out for a bid within several weeks. (3) The Traffic Committee requested that Old Chapin Road be placed on the sidewalk construction list. (4) SCDOT is repainting and realigning the intersection of Sunset Avenue and Hope Ferry Road at the Town’s request. Mayor Pro-Tem Livingston asked if anyone had any traffic issues to please contact 359-1027. The next Traffic Committee meeting will be held on May 27, 2012 at 8:00 a.m. in the Eli Mack, Sr. Room at Town Hall.

Mayor Halfacre stated that if it had not been for the Vision Plan and the Dennis Corporation, the Town would not have known about the adaptive traffic signalization system which will be make a significant improvement to moving traffic in Lexington.

PUBLIC HEARINGS

Mayor Halfacre called the Public Hearing to order and requested that those wishing to speak limit their comments to five minutes.

1. An Ordinance Annexing 133 Pilgrim Point Drive, TMS #3420-01-051.

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

OLD BUSINESS

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1. A motion was made by Mayor Pro-Tem Livingston and seconded by Councilmember MacDougall to approve **Final Reading of an Ordinance annexing county-owned land at 121 Riverchase Way**. The motion was unanimously carried.
2. A motion was made by Councilmember Maness and seconded by Councilmember Stambolitis to approve **Final Reading of an Ordinance annexing 133 Pilgrim Point Drive**. The motion was unanimously carried.

NEW BUSINESS

1. **Town of Lexington Vision Plan:** During the April 16, 2012 Council Work Session, Council reviewed the Lexington Vision Plan and recommended approval. (Copy attached.)

A motion was made by Councilmember Stambolitis and seconded by Councilmember Maness to approve the Town of Lexington's Vision Plan as submitted. The motion was unanimously carried.

2. **First Reading of an Ordinance Updating the Business License Ordinance:** The Town's Business License Ordinance was adopted in the current form in early 2001. Minor modifications have occurred since, but the Ordinance remains substantially unchanged. When the current ordinance was adopted the Standard Industrial Classification (SIC) system of 1987 was the basis for determining the appropriate rate classifications for businesses. Since 2001, the North American Industrial Classification System (NAICS) has become the generally accepted business classification system. NAICS more accurately organizes businesses and recognizes the substantial changes in the economy that have occurred since 1987. The Municipal Association of South Carolina (MASC) recently introduced an update to the model business license ordinance, which incorporates the latest version of NAICS and the most recent IRS data related to rate classifications. Staff recommends that the Town adopt the updated model ordinance with certain modifications to maintain specific elements applicable to the Town such as the business license incentives for the Downtown District. Additionally, Staff recommended that the Town place manufacturing in Class 8, in recognition of higher ad valorem taxes paid by manufacturing enterprises, the relatively low service burden of manufacturing to the Town, and the substantial economic impact of manufacturing investment to the local economy. Staff recommended adoption of the updated ordinance with the implementation of NAICS classification to be effective January 1, 2013. Delayed implementation of the new classification system will allow for an orderly transition from SIC to NAICS classification, software reprogramming, and to ensure that all businesses are charged on a consistent basis for 2012. All other updates to the ordinance would be effective upon adoptions.

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A motion was made by Councilmember Frazier and seconded by Councilmember Stambolitis to approve First Reading of the ordinance to update the Business License Ordinance as stated. The motion was unanimously carried.

3. **First Reading of an Ordinance Amending the Water/Sewer Ordinance:** Section §50.25 of the Town of Lexington Code of Ordinances addresses where an unauthorized connection is made to the Town water system, or where a meter is improperly altered, tampered with or bypassed. However, it does not appear there is a companion provision in the Sewer Use Ordinance to prevent unauthorized use of, or tampering with sewer connections. Council is being asked to consider adding the following provision to the Sewer Use Ordinance:

“It is unlawful and a violation of this subchapter for any unauthorized person to tamper with or change any connection to the sewer system, without written permission, or to reconnect service when it has been discontinued for nonpayment of a bill for service, until such bill has been paid in full, including administrative fee.”

A sewer connection found in a condition which would cause the meter to inaccurately measure the use of the sewer system, or the attachment to a sewer line or meter of any device or mechanism which would permit the unmetered use of the system or would cause a meter to inaccurately measure the use, is prima facie evidence that the person or entity in whose name the meter was installed or the person or entity for whose benefit service was altered, caused the meter to inaccurately measure the use of the sewer system.”

Town Council was also asked to update certain portions of the sewer ordinance which refers to out of date materials which are no longer used by the Town. A description of these changes was attached and a complete ordinance would be made available at Final Reading.

A motion was made by Councilmember Shevchik and seconded by Councilmember MacDougall to approve First Reading of an ordinance amending the Sewer Use Ordinance as stated. The motion was unanimously carried.

4. **First Reading of an Ordinance Annexing TMS #4496-01-016 Located Next to 5140 Sunset Boulevard:** Mr. Bill Cogdill owns 1.16 acres located next to 5140 Sunset Boulevard and petitioned for annexation. The property is currently undeveloped but, Mr. Cogdill indicated that he intends to expand the Palmetto Plaza Shopping Center onto the property. The Planning Commission recommended the property be zoned General Commercial (GC) and Sunset Boulevard be classified as an Arterial road during their April meeting.

A motion was made by Councilmember MacDougall and seconded by Councilmember Shevchik to approve First Reading. The motion was unanimously carried.

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5. **“After the Prom 2012”**: Council received a request from the “After the Prom” organization requesting financial support for their annual event for the four high schools of Lexington School District One. After the Prom 2012 events will be held at Frankie’s Fun Park immediately after the proms. (Request letter attached.) Last year at the April 4, 2011 Council meeting Council approved a \$1,500 sponsorship to “After the Prom 2011”.

Prom Dates: April 28, 2012 for Lexington and Gilbert High Schools
 May 12, 2012 for White Knoll and Pelion High Schools

A motion was made by Mayor Pro-Tem Livingston and seconded by Councilmember MacDougall to approve \$1,500 for After the Prom 2012. Councilmember Stambolitis stated that the Council makes many contributions to groups in Lexington and this is another form where Council can help provide a safe place for the youth of Lexington. The motion was unanimously carried.

6. **US Airways Profile Columbia June 2012 Advertisement**: During the April 16, 2012 Work Session Council discussed a request from US Airways to partner with the Lexington Chamber and Lexington County to place an ad in the US Airways in-flight magazine. The ad would focus on Lexington as a region and would help leverage economic development in the area. A full page ad would cost \$7,500 and would appear in the June edition of the magazine. Council was asked to consider paying for 1/3 of the ad in the amount of \$2,500. US Airways will have a feature profile of Columbia, a 16 page spread, highlighting the Midlands Region which includes Lexington.

A motion was made by Councilmember Maness and seconded by Councilmember Frazier to approve the partnership as stated in the amount of \$2,500. Mayor Halfacre stated that this is a great investment for economic development in the region. Mayor Pro-Tem Livingston stated that the magazine had also called about featuring the Lexington Wine Walk. Councilmember Stambolitis asked for Staff to obtain copies to display at Town Hall and at the Lexington Chamber and Visitors Center. The motion was unanimously carried.

COMMENTS

Mayor Randy Halfacre wished a Happy Birthday to all Town employees celebrating birthdays in May including Mayor Pro-Tem Livingston and Councilmember Frazier’s wife, Cynthia. He wished everyone a Happy Mother’s Day including his wife, Angela. He encouraged everyone to remember Memorial Day. Mayor Halfacre expressed his condolences to Councilmember Shevchik on the recent loss of his mother-in-law. He sent get well wishes to John Walsh at SCDOT, Roscoe Caughman, Chuck Corley, and Vickie Shealy. Mayor Halfacre announced that the Town’s Vision Plan is on the

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Town's web page for everyone to see. He stated that the Farmer's Market starts Saturday and will run through October 27, 2012. He added that it has been moved to 206 N. Church Street and he hoped everyone would come out and enjoy it. Mayor Halfacre announced that the third annual Lexington Wine Walk would be on Saturday from 6:00 p.m. to 10:00 p.m. and it looked like there would be another huge crowd so everyone should get their tickets soon. Mayor Halfacre stated that next week Councilmember Maness, and President of WIMG, would host National League of Cities Women in Municipal Government conference in Charleston. He added that Council was very proud of her. He thanked Becky Hildebrand and Jennifer Dowden for helping with the conference. Mayor Halfacre announced that the Lexington County Law Enforcement Memorial would be unveiled on May 17th at 9:30 a.m. He commended Chief Green for being the driving force behind the monument. He added that Lexington Square would not be completely finished, but it would be very soon thanks to the hands on help of Mayor Pro-Tem Livingston, Johnny and Pat Jeffcoat, Dan Walker and his staff. Mayor Halfacre announced that the Town of Lexington would host Fort Jackson and the new General Bryan Roberts on May 30th. Mayor Halfacre announced that Connie Peagler (Police Department) would retire this month. He added that she has been the beautiful smiling face at the Police Department reception desk for many years. Mayor Halfacre stated that the County will have a news conference soon announcing a high-tech company coming to Lexington. He congratulated Joe Mergo, County Administrator, for receiving the District 4 EPA Award for reclaiming the old landfill and turning it into The Coop for USC's men and women's golf practice course.

Mayor Pro-Tem Livingston thanked Mrs. Pat Jeffcoat for her help with Lexington Square. She added that Pat has been great to work with and she had learned a lot from her. She also thanked Dan Walker and his staff and the Lexington County staff for all the work they have done at the Lexington Square. She added that 24 large trees were planted at the Lexington Square including a Christmas tree. She stated that there were many strong personalities that have been involved in the project, but everyone came together for the park. Mayor Pro-Tem Livingston told Chief Green that she and Mrs. Jeffcoat would personally see that the Law Enforcement Memorial would be beautiful. She added that the Lexington Square was possible from funds raised at the Lexington Wine Walk. She looked forward to another successful Wine Walk this year and they anticipated that more tickets would be sold this year than last year to the point that tickets sales may have to be cut off. She wished a Happy Mother's Day to all the moms. She wished her grandson a Happy Birthday. Mayor Pro-Tem Livingston stated that when she recently visited her mother, who has 27 great grandchildren, she said they are even better than grandchildren.

Councilmember Kathy Maness wished all the teachers a Happy Teacher Appreciation Month. She encouraged all the students to thank a teacher this month. She announced that the Lexington School District One Education Foundation was sponsoring a special teacher recognition for parents and students to make a donation in honor of a special teacher. Councilmember Maness stated that May 6 – 12, 2012 is Public Service Recognition Week which honors Federal, State, County and local government employees. She thanked Town Staff who are public servants and help make this the

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greatest Town government. She thanked Mayor Halfacre for mentioning the WIMG conference next week and for his support. She added that she was looking forward to bringing female elected officials to South Carolina. She thanked Becky Hildebrand and Jennifer Dowden for their help with the conference. She also thanked Mayor Halfacre, and several other male elected officials for making plans to attend the conference. Councilmember Maness stated that the Town opened the John C. Calhoun Silver Exhibit on April 10, 2012. She added that it was a great event with approximately 75 attending. She stated that Chuck and Dawn Corley were wonderful hosts and explained how they acquired the silver and the history of the era. She thanked them and the Historic Preservation Review Board for providing the refreshments. She encouraged everyone to come see the silver on the second floor of Town Hall. She congratulated Lauren McMahan on her retirement. She wished a Happy Birthday to Mayor Pro-Tem Livingston and Councilmember Frazier. She reminded everyone that May 12th is the last day to register to vote before the primaries on June 12th.

Councilmember Ted Stambolitis wished all the moms a Happy Mother's Day. He wished Mayor Pro-Tem Livingston and Councilmember Frazier a Happy Birthday. He wished everyone a safe Memorial Day.

Councilmember Danny Frazier wished his wife a Happy Birthday and for putting up with him. He commended Chief Green and the Lexington Police Department. He added that they are a great police department who are well trained and educated. He thanked Senator Knotts for recognizing them on the Senate floor last week. Councilmember Frazier thanked Harry Harman for all the good work he has done for the County for many years. He added that the County is lucky to have him as the coroner. He wished him mom a Happy Mother's Day and all the other moms. He encouraged everyone to come out to the Lexington Wine Walk. He added that it is the best event in Lexington and Jewitte Dooley does a great job.

Councilmember Todd Shevchik thanked everyone for the notes, flowers, and expressions of sympathy during the recent loss of his wife's mother. He commended Chief Green for putting together a great police force and for protecting the Town residents. Councilmember Shevchik wished his wife a Happy Mother's Day. He also wished a Happy Mother's Day to Karen Longstreet, who was here earlier, and expressed condolences to them for their recent loss. He thanked Dan Walker and his staff for their hard work on all the Town parks. He stated that the MASC magazine featured the Town's Kids Court which was possible in part to Brad Cunningham and the Police Department. Councilmember Shevchik stated that there were a lot of good things going on in Town, including the Vision Plan, and he thanked all those involved in the work behind the scenes.

Councilmember Steve MacDougall stated that being the last guy means that everything has already been said, but he would be brief and try to only take thirty minutes. He thanked his wife for coming out tonight to accept the proclamation for Nurse's Week and he was very proud of her. He wished his mom and his wife a Happy Mother's Day.

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Town Administrator Britt Poole wished to comment on one earlier statement – he also thanked Cynthia for putting up with Councilmember Frazier.

PUBLIC COMMENT

Mr. Scott Adams thanked the Mayor and Council for recognizing Industry Week. He stated that since January 1st, 400 jobs were created in Lexington and area hotel business is up. He added several new businesses have already helped the unemployment rate. Mr. Adams stated that home sales are up and traffic at the Columbia Metropolitan Airport is also up. He attributed a large part of the improved numbers to Amazon coming to the area.

NEWS MEDIA: None.

ADJOURNMENT

Mayor Halfacre thanked the Council Members and citizens for attending the Council meeting and for hanging in there for such a long meeting, but there are a lot of good things going on in Lexington. He thanked those at home for viewing the Council meeting on Channel 2 and added that it will also be replayed several times during the week.

A motion was made by Councilmember Maness and seconded by Councilmember Stambolitis to adjourn the Council Meeting. The motion was unanimously carried by all those present.

The Regular Council meeting was adjourned at 8:40 p.m.

Respectfully submitted,

Becky P. Hildebrand, CMC
Municipal Clerk

APPROVED:

T. Randall Halfacre
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.