

MINUTES
Town of Lexington
Executive Session and
REGULAR COUNCIL MEETING
June 4, 2012

Town Council held an Executive Session followed by a Council Work Session and followed by the June Regular Council meeting on June 4, 2012 in the Eli Mack Sr. Room and Council Chambers. 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, Economic Development 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, IT Manager Josh Emory, and Municipal Clerk Becky Hildebrand.

There were approximately twenty (20) citizens present for the Council Meeting and no one was present from the news media.

INVOCATION, PLEDGE OF ALLEGIANCE AND CALL TO ORDER: Mayor Halfacre introduced the Council Members and announced Council summer meeting schedule. Councilmember Stambolitis gave the invocation. Councilmember Maness led in the Pledge of Allegiance. Mayor Halfacre called the meeting to order at 6:45 p.m.

Councilmember Maness introduced Boy Scout Brandon Mack, who was working on his last merit badge before pursuing Eagle Scout.

ADDITIONS/DELETIONS

Mayor Halfacre requested that the following items be added to the Council's agenda:

1. Temporary Repayment of General Obligation Bond Anticipation Notes as New Business Item #10.
2. Refunding General Obligation Bonds of 2012 as New Business Item #11.
3. Renewal of Town Administrator's Contract as New Business Item #12.

There being no objections from Council, the items were added to Council's agenda as requested.

APPROVAL OF MINUTES: A motion was made by Councilmember Maness and seconded by Councilmember Stambolitis to approve the minutes from Council's Special Called Council Meeting and Council's Work Session, both held on May 21, 2012. The motion was unanimously carried.

PRESENTATIONS

1. **100th Anniversary of Sertoma Club Presentation – Mayor Randy Halfacre:** Mayor Halfacre read a Proclamation honoring the Sertoma Club for their 100th Anniversary and honoring their continued commitment to the community. He stated that the actual event took place in April, but he wanted to present it to them again during the Council meeting. Several Sertoma members were present to accept the award. (Copy attached.)
2. **Lexington Sertoma Club Check Presentation – Mr. Jim Harpe:** Mr. Harpe, along with Mr. Tommy Harmon presented a check to the Mayor and Council from last year's Sertoma's Big Thursday in the amount of \$9,912.51. They thanked the Mayor and Council for their partnership with the Town and were happy to present the proceeds for the further improvement at Gibson Pond Park. Mayor Halfacre thanked the Sertoma members and he looked forward to another great event this year on October 18, 2012.
3. **Snelling Staffing Services Proclamation – Councilmember Steve MacDougall:** Councilmember MacDougall read a Proclamation honoring Snelling Staffing Services on their 30th Anniversary. (Copy attached.) Ms. Gina McCuen and other staff members were present to accept the Proclamation. Ms. McCuen thanked the Mayor and Council and expressed her love for the community during the past 30 years. Mayor Halfacre thanked Snelling Staffing for recent referrals of several great candidates for employment at the Lexington Chamber.
4. **Lexington County Law Enforcement Memorial Sponsorship Commission Award – Police Chief Terrence Green:** Chief Green presented the Town of Lexington with an award recognizing them as a Diamond Sponsor for the recently dedicated Lexington County Law Enforcement Memorial monument. Mayor Pro-Tem Livingston accepted the award on behalf of the Town. Mayor Halfacre thanked Mayor Pro-Tem Livingston and all groups that came together to make the new Lexington Square possible. He thanked Chief Green for working with all the other municipalities to make the monument possible.

TRAFFIC UPDATE

Mayor Pro-Tem Livingston provided an update on the Town of Lexington's continuing efforts to improve traffic. (1) SCE&G relocated enough lines for the Town to start relocating water and sewer lines. The Town and SCDOT will meet this week for a pre-construction meeting to start the project in July. (2) The Town and SCDOT have met to discuss the Adaptive Signal Project and engineers started the required installation study. The Central Midlands COG assisted with securing funding and all looks very positive at this time. (3) The Town is waiting for SCDOT's final approval for the Interchange Beautification Project at I-20 and Highway 378 in addition to pending Federal Highway Administration funding appropriation. The Town hopes to bid the project and have it

MINUTES
REGULAR COUNCIL MEETING
June 4, 2012

completed within the next few weeks. The next Traffic Committee meeting will be held on July 19, 2012 at 8:00 a.m. in the Eli Mack, Sr. Room at Town Hall. Mayor Pro-Tem Livingston asked if anyone was aware of specific traffic problems to please contact 359-1027 and let Town staff know. The request could be about an unsafe situation or just a pot hole that needs to be repaired.

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 Adopting the FY 2012-2013 Budget.
2. An Ordinance to Provide for the FY 2012-2013 Tax Levy.
3. An Ordinance Updating the Business License Ordinance.
4. An Ordinance Amending the Water/Sewer Ordinance.
5. An Ordinance Annexing TMS #4496-01-016 located next to 5140 Sunset Boulevard.

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

OLD BUSINESS

1. A motion was made by Mayor Pro-Tem Livingston and seconded by Councilmember Maness to approve **Final Reading of an Ordinance Adopting the FY 2012-2013 Budget**. Mayor Halfacre wished to point out that since he was elected in 1994 property tax ratio to business license fees was 60/40% and now it is 54% for business licenses and property tax is at 35%. He thanked Councilmember Frazier for the work he has done on annexations. Mayor Halfacre stated that almost 50% of the Town's budget goes to the Police Department to insure that we have the best Police Department in the State and he thought it was money well worth it. The motion was unanimously carried. (Ordinance attached.)
2. A motion was made by Councilmember Maness and seconded by Councilmember MacDougall to approve **Final Reading of an Ordinance to provide for the FY 2012-2013 Tax Levy**. Mayor Halfacre confirmed that it had been almost 30 years since the Town had a tax increase. The motion was unanimously carried by all those present. (Ordinance attached.)
3. A motion was made by Councilmember Stambolitis and seconded by Councilmember Frazier to approve **Final Reading of an Ordinance Updating the Business License Ordinance**. The motion was unanimously carried. Mayor Halfacre thanked the Council and Staff for all their efforts to update the ordinance which allows the Town to attract high-tech companies. (Ordinance attached.)

MINUTES
REGULAR COUNCIL MEETING
June 4, 2012

4. A motion was made by Councilmember Frazier and seconded by Councilmember MacDougall to approve **Final Reading of an Ordinance Amending the Sewer Use Ordinance**. The motion was unanimously carried. (Ordinance attached.)
5. A motion was made by Councilmember Shevchik and seconded by Councilmember Stambolitis to approve **Final Reading of an Ordinance Annexing TMS #4496-01-016 located next to 5140 Sunset Boulevard**. The motion was unanimously carried. (Ordinance attached.)

NEW BUSINESS

1. **First Reading of an Ordinance Revising the Sign Ordinance to Allow Moving Message Signs:** Town Council was asked to consider a revision to the Town's Sign Ordinance that would allow automated changeable copy signs to be used primarily by area gasoline service stations. The attached sign revision was constructed to allow a movable sign which changes by using a mechanical device. The Planning Commission has begun a review on this proposal and will have a recommendation for Council after a Work Session scheduled later this month.

A motion was made by Councilmember MacDougall and seconded by Councilmember Frazier to approve First Reading of the ordinance as stated. The motion was unanimously carried.

2. **First Reading of an Ordinance Annexing a location at 5372 Sunset Boulevard:** Realty Income Corporation owns .91 acres located at 5372 Sunset Boulevard (TMS #4300-01-028) and petitioned for annexation. A Kangaroo Express Store is currently located on the property. The Planning Commission recommended General Commercial (GC) zoning for the property and Arterial road classification for this portion of Sunset Boulevard during their May meeting.

A motion was made by Mayor Pro-Tem Livingston and seconded by Councilmember Shevchik to approve First Reading of the ordinance as stated. The motion was unanimously carried.

3. **First Reading of an Ordinance Annexing 138 Corley Mill Road:** FPG SC, LLC owns 43.22 acres on two parcels located at 138 Corley Mill Road and petitioned for annexation. Woodbridge Memorial Park and chapel are located on the property. The Planning Commission recommended the property be zoned Limited Commercial (LC) and Corley Mill Road be classified as a collector road during their May meeting.

A motion was made by Councilmember Maness and seconded by Councilmember MacDougall to approve First Reading of the ordinance as stated. The motion was unanimously carried.

MINUTES
REGULAR COUNCIL MEETING
June 4, 2012

4. **First Reading of an Ordinance Annexing 115 Riverchase Way:** Riverchase Self Storage, LLC owns 4.44 acres located at 115 Riverchase Way and petitioned for annexation. The Planning Commission recommended General Commercial (GC) zoning for the property and recommended Riverchase Way be classified as a Collector road during their May meeting.

A motion was made by Councilmember Stambolitis and seconded by Councilmember Frazier to approve First Reading as stated. The motion was unanimously carried.

5. **First Reading of an Ordinance Annexing Portions of TMS #5497-04-005 and 5497-04-034 located near the intersection of South Lake Drive and Glassmaster Road:** Avtec, Inc. purchased approximately 8.932 acres on two parcels located near the intersection of South Lake Drive and Glassmaster Road and requested to begin the annexation process. The company's new manufacturing facility will be located on the site. The Planning Commission will make a zoning recommendation for the property during their June meeting.

A motion was made by Councilmember Frazier and seconded by Councilmember Stambolitis to approve First Reading as stated. Councilmember Stambolitis thanked the owners of Avtec for bringing their business to Lexington along with 170 jobs. Councilmember Frazier stated that they were going to build a beautiful building. Mayor Halfacre stated that it is unusual for a municipality to attract a manufacturing facility because of the State's tax laws which have to do with business licenses, property taxes and equipment taxes. He thanked Johnny Jeffcoat and the many others for their involvement in bringing Avtec to Lexington. The motion was unanimously carried.

6. **First Reading of an Ordinance Annexing TMS #3500-03-021, -023, -024, -067 and a portion of Lot #020 located near the 4800 Block of Sunset Boulevard:** Dwight L. and Samuel M. Corley own 60.08 acres of property on five (5) lots located near the 4800 block of Sunset Boulevard and requested to begin the annexation process. A large commercial center containing approximately 236,000 square feet of commercial space is being planned for the site. The Planning Commission will make a zoning recommendation for the property during their June Meeting.

A motion was made by Councilmember Shevchik and seconded by Councilmember Frazier to approve First Reading as stated. Mayor Halfacre announced that the site would have a movie theater which would contain 14 state-of-the art theaters and a total of 2400 seats. He added that Council had annexed over 100 acres of property just in tonight's meeting, assuming Second Readings were approved. He stated that he knew many Mayors that

MINUTES
REGULAR COUNCIL MEETING
June 4, 2012

would love to have that in their Town even in a year's time. Mr. Poole added that it also totaled \$50 M worth of commercial investment in the Town. He stated that the out parcels of the theater property would receive commitments soon. Mr. Poole stated that the developers are shopping for big box stores to come to the complex, such as Academy Sports. He stated that the site plan has been approved, but access to the property has not yet been approved. The motion was unanimously carried.

7. **South Carolina Small Business Development Centers Fee Waiver Request:** Mr. Pete Oliver of the South Carolina Small Business Development Centers (SBDC) requested a fee waiver for the use of the Town Conference Center Suite B for an event. The purpose of this group is to help entrepreneurs expanding an existing business or starting a new enterprise. This is done by providing free consulting, low-cost seminars and links to resources. The South Carolina SBDC is managed from the State Director's office located at the Moore School of Business at USC. The dates Mr. Oliver requested were: June 6 and June 13 (both Wednesdays). The values of the room rentals are: \$1,600.00 (out of town rate \$800 x 2). A deposit of \$250 would still be required.

A motion was made by Councilmember MacDougall and seconded by Councilmember Maness to approve the fee waiver as stated. Councilmember Stambolitis thanked Mr. Oliver for bringing the continuing education classes to the Town. He added that it is very good for the community. The motion was unanimously carried.

8. **Sanitary Sewer Agreement Takeover Contract Amnesty:** The Town allows purchasers of Capital Contribution Certificates under Sanitary Sewer Agreements to enter "takeover contracts" by which the purchasers assume responsibility (usually from the developer) for the required monthly minimums for the certificates purchased. When a takeover contract is in place the owner of a sewer certificate who keeps their account current is allowed to construct and obtain service without restriction so long as their account remains current. Many purchasers acquired their certificates prior to the Town instituting the takeover contract procedure and still others have not been offered the option by developers. In order to encourage development and to give all holders of certificates the opportunity to enter a takeover contract, it was proposed that we allow certificate holders the chance to enter takeover contracts by bringing in any past due amount currently related to their certificate(s). The policy is for a limited time so that those eligible for a takeover contract will have no incentive to delay. (Copy attached.)

A motion was made by Mayor Pro-Tem Livingston and seconded by Councilmember Frazier to approve the Sanitary Sewer Agreement Takeover Contract Amnesty policy as stated. Councilmember Frazier stated that this is a great policy. Mayor Halfacre stated that it is still tough times and the Town has done some things like reducing sewer taps in order for the Town

MINUTES
REGULAR COUNCIL MEETING
June 4, 2012

to grow. He thanked Councilmember Frazier for bringing this to Council. Councilmember Frazier thanked Town Administrator Poole and Assistant Town Administrator Ford for having such a great attitude about the request and for trying to come up with an idea instead of just saying no. The motion was unanimously carried.

9. **Golden Hills Tax District Vacancy:** Susan Amick submitted a letter of resignation as a Town Representative on the Golden Hills Special Purpose Tax District Commission. Mr. Kenneth Siegfried was recommended as a replacement. A Talent Bank application from Mr. Siegfried was provided. (Copy attached.) Upon Council's recommendation of Mr. Siegfried, Lexington County Council would be notified for approval as one of the three representatives from the Town of Lexington.

A motion was made by Councilmember Maness and seconded by Councilmember Stambolitis to approve the recommendation of Mr. Kenneth Siegfried as a Town Representative on the Golden Hills Special Purpose Tax District Commission. The motion was unanimously carried.

10. **Temporary Repayment of General Obligation Bond Anticipation Notes:** The Town's General Obligation Bond Anticipation Notes (BANS) will mature on June 29, 2012. The BAN originally provided financing for the purchase of the LICS property on Church Street. On the recommendation of Bond Counsel, the Town's plan is to temporarily repay the BANs at the end of June from the General Fund. The plan will allow the Town maximum flexibility as we continue to evaluate and plan for downtown redevelopment. Council was asked to approve the temporary repayment of the General Obligation BAN from the General Fund at the payoff amount of approximately \$1.56 million.

A motion was made by Councilmember Stambolitis and seconded by Councilmember Shevchik to approve the temporary repayment of General Obligation Bond as stated. The motion was unanimously carried.

11. **First Reading of an Ordinance Refunding General Obligation Bonds of 2012:** The Town's General Obligation Bonds of 2002 have an outstanding balance of \$1,415,000 and is due to be paid in full on March 1, 2012. Based upon the analysis of the Town's Financial Advisor, the Town can currently refund the GO Bonds for significant interest savings over the same period. Savings, depending upon actual market conditions at the time of sale, could reasonably be expected to approach \$195,000.

A motion was made by Councilmember Frazier and seconded by Councilmember Shevchik to approve First Reading of an Ordinance refunding GO Bonds of 2012 as stated. The motion was unanimously carried.

MINUTES
REGULAR COUNCIL MEETING
June 4, 2012

12. **Renewal of Town Administrator's Contract:** Town Council was asked to consider renewing the contract of Town Administrator Britt Poole. The existing contract terms will not be changed, except the contract will be structured to be a three year contract with terms for annual renewal to keep the contract term at three years.

A motion was made by Councilmember Shevchik and seconded by Councilmember Frazier to approve the renewal of Town Administrator Britt Poole's contract as stated. Councilmember Shevchik thanked Mr. Poole for doing a great job and all he does for the Town throughout all the meetings. He added that he continues to be impressed. Councilmember Stambolitis stated that people come to him all the time with favorable comments on the performance of Mr. Poole. He added that Mr. Poole has made a good impression on citizens and businesses and it is a pleasure to work with him. Mayor Halfacre stated that as a Mayor, if he did not have the excellent staff at the leadership of Mr. Poole, his job would be very desirable because he and Council would be fielding calls and resolving problems day in and day out. He added that they are only as good as the staff and he hoped that they were only as good as the Council. He thanked Mr. Poole for his good work and he hoped to keep him at the Town for a long time. The motion was unanimously carried.

COMMENTS

Mayor Halfacre congratulated the USC Gamecocks on their recent win. He wished a Happy Birthday to all Town employees celebrating birthdays in June. He wished everyone a Happy Father's Day. Mayor Halfacre reminded everyone that the Lexington Farmers Market was up and running and he hoped everyone would come out and enjoy all the vendors at the new location. He commended Jewitte and Rodd Dooley, Lexington Beautification Foundation, on heading up another very successful Wine Walk. He also thanked staff and the Police Department for their assistance with the event. Mayor Halfacre thanked Chief Green for the recent Law Enforcement Memorial dedication and all the work he did on the project. He later added that Sheriff Metts' comments at the dedication were very touching and from the heart of someone who has to go to the door and tell a spouse that her loved one has been killed in the line of duty. Mayor Halfacre commended Councilmember Maness on her successful conference in Charleston where she hosted NLC's Women in Municipal Government conference. He read a thank you note from Councilmember Maness thanking Council and staff for all their support during the conference. He also agreed that it was the best conference ever. Mayor Halfacre thanked Councilmember MacDougall for his assistance during the recent Fort Jackson's Official's Welcome Breakfast. He added that it was a great event to reach out to the Officers and staff at Fort Jackson. Mayor Halfacre thanked the Lexington Sertoma Club for their contribution tonight to Gibson Pond Park.

Mayor Pro-Tem Livingston stated that the recent Building Partnerships event with the Officials from Fort Jackson was great and very humbling. She added that it was

MINUTES
REGULAR COUNCIL MEETING
June 4, 2012

wonderful for the Town to reach across the region and thank Fort Jackson for what they do for the community. Mayor Pro-Tem Livingston thanked Councilmember Maness for hosting a great conference in Charleston for WIMG. She thanked Chief Green for doing a fabulous job on the Law Enforcement Memorial. She added that he stuck with his plan of what he wanted for the monument and when she first saw it she was in awe. She stated that Lexington Square would soon be complete and people were already visiting the park. She commended Park Director Walker and his staff for their hours of hard work and she has the utmost respect for them and all that they do for the Town. She wished everyone a Happy Father's Day.

Councilmember Kathy Maness congratulated the recent high school graduates. She encouraged everyone to be careful now that school is out. She visited the Farmers Market on Saturday and hoped everyone would come out and enjoy all the vendors. Councilmember Maness stated that she would speak at the Palmetto Girls State this weekend in Clinton, S.C. for her sixth year. She added that she has a lot of fun and enjoys seeing the girls learn about government. Councilmember Maness encouraged everyone to get out and vote during the upcoming primaries. She added that it would be a big day for a lot of people including the Town's Community and Economic Catalyst Johnny Jeffcoat. She wished everyone a Happy Father's Day.

Councilmember Ted Stambolitis wished everyone a Happy Father's Day and a happy and safe summer.

Councilmember Danny Frazier stated that the recent Fort Jackson breakfast was a good thing to do and he enjoyed meeting all the Officers. He thanked Councilmember MacDougall and Hudson's for providing the breakfast. He commended everyone on a great job for the recent Wine Walk event. He thanked Chief Green and Sheriff Metts on the great job they did on the Law Enforcement Memorial. Councilmember Frazier commended Councilmember Maness on the great WIMG conference and added that he enjoyed attending the conference in Charleston. He thanked Town Administrator Poole for the good job he does for the Town and he was pleased to sign the renewal contract. Councilmember Frazier encouraged everyone to get out and vote on June 12th. He added that Johnny Jeffcoat needs to go back on County Council. He stated that Mr. Jeffcoat helps people in Lexington and has done a lot to build bridges between the Town and the County. He commended Mr. Jeffcoat for being a great man, a good family man, and for being a friend.

Councilmember Todd Shevchik congratulated Gina McCuen on her 30th anniversary. He added that she and her husband have a great drive to do things in the community and for Kiwanis. Councilmember Shevchik commended Chief Green on the great job he did on the Law Enforcement Memorial. He added that at the dedication ceremony he was moved by a 13 year old boy who was present because his father had died in the line of duty, and that is what the monument is all about. Councilmember Shevchik stated that the Lexington Square Park is just one example of many town-county partnerships that are starting to happen. He added that there are so many good things going on in Lexington. He wished everyone a great summer.

MINUTES
REGULAR COUNCIL MEETING
June 4, 2012

Councilmember Steve MacDougall congratulated Councilmember Maness on being elected President of NLC's WIMG and for hosting a successful conference and for having a national light shine on Lexington. He stated that he was honored to read the Proclamation for Gina McCuen tonight and he congratulated them again.

STAFF COMMENTS

Town Administrator Poole thanked the Mayor and Council for their humbling and honoring comments and he will continue to do the best job he can for the Town. He agreed that Staff always makes him look good and he appreciates the work that they do for the Town. Town Administrator Poole thanked all the people who had made the new Lexington Square Park possible. He wanted to say a special thank you to Brent Hawkins, from the Planning and Building Department, for doing all the wiring at the Park and saving the Town and County approximately \$10,000 to \$15,000 in labor cost.

PUBLIC COMMENT: None.

NEW MEDIA: None.

ADJOURNMENT

Mayor Halfacre thanked the Council Members and citizens for attending the Council meeting. 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 Councilmember MacDougall to adjourn the Council Meeting. The motion was unanimously carried.

The Regular Council meeting was adjourned at 8:02 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.