

MINUTES
Town of Lexington
Executive Session and
REGULAR COUNCIL MEETING
February 3, 2014

Town Council held an Executive Session at 5:30 p.m. followed by a Regular Council meeting in the Council Chambers on February 3, 2014. The meetings were attended by: Mayor Steve MacDougall, Mayor Pro-Tem Hazel Livingston and Councilmembers Kathy Maness, Ted Stambolitis and Todd Shevchik.

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

There were approximately twenty-five (25) citizens present for the Council meeting and one member from the news media.

INVOCATION, PLEDGE OF ALLEGIANCE AND CALL TO ORDER: Mayor MacDougall welcomed everyone to the meeting and introduced the Council Members. Pastor Paul Bishop, First Baptist Church of Lexington, gave the invocation. Councilmember Stambolitis led in the Pledge of Allegiance. Mayor MacDougall called the meeting to order at 6:34 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 Shevchik and seconded by Councilmember Stambolitis to go into *Executive Session*. The motion was unanimously carried. Council adjourned from *Executive Session* at 6:18 p.m. after a motion was made by Councilmember Shevchik and seconded by Mayor Pro-Tem Livingston. The motion was unanimously carried. Mayor MacDougall reported that Council met in *Executive Session* to discuss: two legal updates regarding water territories and the Golden Hills condemnation and one routine personnel matter regarding Boards and Commissions appointments. No vote was taken. A motion was made by Councilmember Shevchik and seconded by Councilmember Maness to ratify Mayor MacDougall's *Executive Session* report. The motion was unanimously carried.

DELETIONS: Mayor MacDougall requested that Old Business Item #1 (Final Reading of an Ordinance to Issue Combined Water and Sewer Refunding Revenue Bonds of 2014) be deferred to a later meeting. There being no objections, the item was deferred.

APPROVAL OF MINUTES: A motion was made by Councilmember Maness and seconded by Mayor Pro-Tem Livingston to approve the Minutes as submitted from the January 21, 2014 Council Work Session. The motion was unanimously carried.

PRESENTATIONS

1. **Chris Meyer's Children Place – Chief Terrence Green:** Chief Green announced a \$1,500 donation to the Chris Meyer's Children Place from proceeds of the 2013 Fall Festival. He added that the owner and staff of Harbor Inn also helped with the event. Chief Green, along with Mayor MacDougall and Councilmember Shevchik, presented the check to representatives from the Chris Meyer's Children Place.
2. **2013 Pillar of the Community Award to Jasbir Singh Bhambra (Sammy) – Chief Terrence Green:** Chief Green, along with Mayor MacDougall, presented the Pillar of the Community Award to Mr. Bhambra, along with his family, and thanked them for their generous support in the amount of \$3,000 during the past five years to the Fall Festival. He added that Mr. Bhambra's Shell station is located in Lexington where he has often let citizens have credit until they could pay.
3. **Presentation to Chief Terrence Green - U.S. Marshall Kelvin Washington:** Mr. Washington presented a Louisville Slugger baseball bat to Chief Green to honor him for serving as President of the SC Police Chief Association. He added that the Town of Lexington is very fortunate to have Terrence Green as their Chief of Police. Mr. Washington stated that many other Chiefs are drawn to Chief Green for his friendship and advice.

VISION PLAN UPDATE

Mayor MacDougall gave a brief review of the Town's Vision Plan: (1) He gave an update on the Town's 14 Mile Creek Trail which is currently under construction and will include a 3,500 foot trail, three bridges, educational kiosk and outdoor learning center. The trail is located off North Lake Drive and Old Cherokee Road. He announced that the trail should open at the beginning of next month and he looks forward to having it close to his house. (2) He gave an update on the Town's Project Icehouse which is currently in the bid process for demolition and will include a retail center, restaurants, and a 500 seat amphitheater and plaza. (3) He announced that the Lexington Paw Park is now open and includes ½ acre for small dogs and 2 acres for large dogs. The park also has park benches, water stations and waste receptacles. There will soon be a dedication for a statue commemorating the Town's first K-9 Officer, Ice. Applications to register your dog are available at Town Hall and on the Town's website. He added that over 100 dogs are registered and it confirms that it was a need in Lexington. For more information, call the Town's Park Department at 359-1027.

TRAFFIC UPDATE

Mayor Pro-Tem Livingston gave the traffic update as follows: (1) The Phase I Traffic Plan is 75% complete. The mast arms are in and are being installed. The next step is installation of magnetic loops, then the project will be dormant until March and warmer weather. (2) Contractors are working on the I-20/Highway 378 Beautification Project. The footer has been poured for the sign and the water feature. (3) The Pennies for Progress deadline was extended to February 6th due to recent weather. Citizens were asked to call 359-1027 if anyone had any traffic issues. The next Traffic Committee meeting will be held Tuesday, February 18, 2014 at 8:00 a.m. in the Eli Mack, Sr. Room.

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 Amendment to Section 154.06.14 of the Land Development Ordinance.

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

OLD BUSINESS ITEMS

1. (Item deferred.) (Final Reading of an Ordinance to Issue Combined Water and Sewer Refunding Revenue Bonds of 2014.)
2. A motion was made by Councilmember Stambolitis and seconded by Councilmember Shevchik to approve **Final Reading of the 2014 Comprehensive Land Use Plan**. The motion was unanimously carried.
3. A motion was made by Councilmember Shevchik and seconded by Councilmember Stambolitis to approve **Final Reading of an Amendment to Section 154.06.14 of the Land Development Ordinance – Traffic Control Measures**. The motion was unanimously carried.

NEW BUSINESS

1. **First Reading Approval of an Ordinance Amending the Contract of Chief of Police Terrence Green:** Terrence Green's contract as Chief of Police is up for renewal and a proposed three year rolling renewal contract is attached. It is similar in nature to the three year rolling contract the Town signed with Town Administrator Britt Poole. The initial three year term would begin February 4,

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2014 and all other terms and conditions would remain the same. The Chief of Police position is a grade 35 under the Town's Wage and Compensation Plan.

A motion was made by Mayor Pro-Tem Livingston and seconded by Councilmember Maness to approve First Reading of an Ordinance amending the contract of Chief of Police Terrence Green. Mayor Pro-Tem Livingston stated that Chief Green is top-notch. Mayor MacDougall agreed that the Town is lucky to have him. The motion was unanimously carried.

- 2. First Reading Approval of an Amendment Restricting the Location of Where Items Can Be Sold as Defined in the Town's Drug Paraphernalia Ordinance:** Several months ago Town Council requested the Planning Commission consider new restrictions on the location of businesses that sell items defined as drug paraphernalia. After significant discussion, the Planning Commission proposed a new definition in the Zoning Ordinance to define these types of businesses as follows:

Drug and Tobacco Paraphernalia Establishment means any premises where drug and tobacco paraphernalia is displayed for sale, offered for sale, or sold, and which devotes more than a two foot by four foot (two feet in depth maximum) section of shelf space for drug and tobacco paraphernalia. Items included in this definition are listed in the Town's Drug paraphernalia Ordinance. (Copy attached.)

The Planning Commission also proposed amending the Zoning Ordinance to require Drug and Tobacco Paraphernalia Establishment to be located on property with Industrial Zoning five hundred feet from any church, school, residence, park, or other Drug and Tobacco Paraphernalia Establishment. It is important to note that the Commission's proposal is not intended to legalize any activity or product that is currently illegal. It is only intended to ensure that establishments that legally sell these items locate in an appropriate location.

A motion was made by Councilmember Maness and seconded by Councilmember Stambolitis to approve First Reading of the amended Ordinance as submitted. The motion was unanimously carried.

- 3. First Reading Approval of Zoning Changes to the Icehouse Project Property:** In 2009 Council rezoned the Icehouse property substituting the existing Downtown and Commercial Corridor Special Overlays. This was done to accommodate a mixed use project planned for the site. Since the mixed use project is no longer being considered for the property, Town Council should consider eliminating the Planned Development Special Overlay and place the original zoning overlays back on the property. These overlays should also be extended to include the 113 South Church Street property.

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A motion was made by Councilmember Stambolitis and seconded by Councilmember Shevchik to approve First Reading of Zoning Changes to the Icehouse Project as submitted. The motion was unanimously carried.

4. **First Reading of an Annexation of 121 Pilgrim Point Drive, Lexington County Tax Map #3420-01-048:** Larry and Karen Hughes own a parcel located at 121 Pilgrim Point Drive and have petitioned for annexation. A single family home is planned for the property. Properties in Town near this property are zoned Protected Residential (PR) and Pilgrim Point Drive is classified as an RL6 road. The Planning Commission will review this annexation during their February meeting to provide a zoning and road classification for this property.

A motion was made by Councilmember Shevchik and seconded by Councilmember Maness to approve First Reading of an Annexation of 121 Pilgrim Point Drive as stated. The motion was unanimously carried.

5. **First Reading of an Annexation of 515 Northwood Road, Lexington County Tax Map #4300-04-027:** The Estate of Ruth W. Caughman owns 26.6 acres located at 515 Northwood Road and has petitioned for annexation. A 48 unit Senior Living Center with some additional office sites is planned for a portion of the property. Properties in Town near this property are zoned Limited Commercial (LC) and Protected Residential (PR). Northwood Road is classified as a Local road. The Planning Commission will review this annexation during their February meeting to provide a zoning classification for this property.

A motion was made by Mayor Pro-Tem Livingston and seconded by Councilmember Stambolitis to approve First Reading of an Annexation of 515 Northwood Road as stated. Mayor MacDougall called on Mr. Connelly to give a brief overview of the project.

Mr. Kevin Connelly stated that the project is approximately 26 acres. He added that he has known the Caughman family for years and they have looked at developing the property knowing that it backs up to neighborhoods. He stated that they are aware of the setbacks and buffers. Mr. Connelly stated that there is an acre and a half that will be utilized for a small commercial piece that will be maintained by the Caughman family. Approximately 6 acres behind it, along with the pond, will be utilized for the 48 senior living units. The Caughmans will also maintain three one acre single family lots and 16 acres will go into a conservation easement.

Councilmember Stambolitis stated that he has had the privilege to witness several of Mr. Connelly's projects and they are done magnificently and with professionalism. He added that this project will be a good addition to the community and he welcomes it. He stated that he hoped it would also encourage other developments in Lexington.

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There being no further discussion, Mayor MacDougall called for the vote. The motion to approve First Reading of an Annexation of 515 Northwood Road as stated was unanimously carried.

ANNOUNCEMENTS

Councilmember Shevchik made the following announcements: (1) He wished a Happy Birthday to Councilmember Stambolitis. (2) He congratulated the recipients of the Pillar of the Community Award, Chief Green, and the Harbor Inn crew for all they do for the Town. (3) He thanked Town Staff for helping the Town get safely through the recent snow day. (4) He reminded everyone that the Town has two upcoming Special Elections. The first one is March 4th and the second one is on April 8th. He encouraged everyone to register to vote if they lived in Town and to get out and vote. (5) He announced that next month will be Mayor MacDougall's first State of the Town Address on March 3, 2014. He added that the upcoming Lexington Life magazine will have an in-depth article on Mayor MacDougall.

NEWS MEDIA: None.

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 Channel 2 and it will also be replayed several times during the week.

A motion was made by Councilmember Maness and seconded by Councilmember Shevchik to adjourn the Council Meeting. The motion was unanimously carried.

The Regular Council meeting was adjourned at 7:07 p.m.

Respectfully submitted,

Becky P. Hildebrand, CMC
Municipal Clerk

APPROVED:

Steve MacDougall
Mayor

FOIA COMPLIANCE – Public notification of this meeting was published, posted and mailed in compliance with the Freedom of Information Act and the Town of Lexington requirements.