

**MINUTES**  
*Town of Lexington*  
**Oath of Office Ceremony and**  
**REGULAR COUNCIL MEETING**  
**May 5, 2014**

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Town Council held a Regular Council meeting in the Council Chambers on May 5, 2014. The meeting was preceded by an Executive Session and the May Work Session. The meetings were attended by: Mayor Steve MacDougall, Mayor Pro-Tem Hazel Livingston and Councilmembers Kathy Maness, Ted Stambolitis, Todd Shevchik, Todd Carnes and Ron Williams.

Staff members present were: Town Administrator Britt Poole, Assistant 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, IT Manager Josh Emory, 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.

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**OATH OF OFFICE CEREMONY**

**Councilmember Ron Williams:** Mayor MacDougall welcomed everyone to the Council meeting and to the Oath of Office Ceremony. Councilmember Williams was joined by his wife and family. Mayor Pro-Tem Hazel Livingston read the Oath of Office which was repeated by Councilmember Williams swearing him in as a Councilmember for the Town of Lexington with a remaining term of November 2015. (Copy of Oath attached.)

**INVOCATION, PLEDGE OF ALLEGIANCE AND CALL TO ORDER:** Mayor MacDougall welcomed everyone to the meeting and introduced the Council Members. Pastor Michael Sims, First Baptist Church of Lexington, gave the invocation. Councilmember Shevchik led in the Pledge of Allegiance. Mayor MacDougall called the meeting to order at 6:40 p.m. (*Executive Session and Approval of Minutes were during the Council Work Session.*)

**DELETIONS:** None

**PRESENTATIONS**

1. **Announcement of AIA/SC Merit Award for Palmetto Collegiate Institute – Michael Kohn of CJMW Architecture – Mayor Pro-Tem Hazel Livingston:** Mr. Kohn stated that he was privileged to see the Mayor speak this morning at a packed

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house at the Columbia Rotary Club. He added that there was a common thread in the presentation where the Mayor described a simpler time in Lexington when people were nice and everyone knew each other. Mr. Kohn stated that by the end of the meeting the audience from neighboring cities were envious of such a wonderful community, based on their questions. He described the Palmetto Collegiate Institute and how this Town Council renovated it with particular involvement from Mayor Pro-Tem Livingston and Mr. Amiel Maness. He was pleased to present the American Institute of Architects award to Mayor Pro-Tem Livingston recognizing the renovation of the Palmetto Collegiate Institute. He also thanked Mr. Poole for attending the AIA banquet last Friday.

2. **Lexington School District One Teacher of the Year Proclamation, Kimberly Freeman – Councilmember Kathy Maness:** Councilmember Maness announced that this week is also Teacher Appreciation Week. She read a proclamation to Kimberly Freeman, Lexington Middle School Latin teacher, honoring her for being the Lexington School District One Teacher of the year. Councilmember Maness added that she was honored last week when she received the "Friend of the Forum Award" from the Lexington School District One Teacher Forum for the 2013-2014 school year honoring her for her commitment to education in the Lexington Community. She presented the Proclamation to Ms. Freeman. (Copy attached.)

**Ms. Kimberly Freeman** thanked the Mayor and Council for the Proclamation and their continued support to teachers and to Lexington School District One. Mayor MacDougall commented that he was asked at the Columbia Rotary meeting this morning why Lexington is so successful and he answered that it was because of great teachers like Ms. Freeman.

3. **Kids to Parks Day May 17, 2014 Proclamation – Councilmember Ted Stambolitis:** Councilmember Stambolitis read a Proclamation declaring May 17, 2014 as Kids to Parks Day in Lexington. (Copy attached.) He indicated that the Proclamation would be mailed to the National Park Trust.
4. **Women's Lung Health Week May 11-18, 2014 Proclamation – Councilmember Todd Shevchik:** Councilmember Shevchik read a Proclamation declaring May 11-18, 2014 as Women's Lung Health Week. He presented the Proclamation to Ms. Melissa Goforth, Area Manager Lung Association of the Midlands. She thanked the Mayor and Council for recognizing this national issue. She added that there is a stigma associated with lung cancer due to smoking, but that is not always the case. She stated that anyone with lungs can be diagnosed with lung cancer. She added that Lexington Medical Center and Lexington County Firefighters are also huge supporters. (Copy attached.)
5. **Lupus Awareness Month May 2014 Proclamation – Councilmember Todd Carnes:** Councilmember Carnes read a Proclamation declaring May 2014 as Lupus Awareness Month. He indicated that Sgt. Fred Bryant and Jade Nealious could not attend and the Proclamation would be mailed to them. (Copy attached.)

6. **Peace Officers Memorial Day May 15, 2014 Proclamation – Councilmember Ron Williams:** Councilmember Williams read a Proclamation declaring May 15, 2014 as Peace Officers Memorial Day. He presented the Proclamation to Chief Terrence Green. (Copy attached.) Chief Green announced that Lexington would hold a Fallen Officers Ceremony on May 14, 2014 at 10:00 a.m. at the monument in Lexington Square. He stated that a name would be added this year for an officer from 1800. Mayor MacDougall stated that it was his privilege to honor Chief Green and his department for doing such a great job in keeping the community safe. He added that the Police Department was the second reason for the success of Lexington that he gave in his presentation this morning to the Columbia Rotary Club.
7. **Safe Boating Week May 17-23, 2014 Proclamation – Mayor Steve MacDougall:** Mayor MacDougall read a Proclamation declaring May 17-23, 2014 as Safe Boating Week. (Copy attached.) He stated that he would present the Proclamation to the Lake Murray Association at their annual meeting on May 13, 2014.

### **VISION PLAN UPDATE**

Mayor MacDougall gave a brief review of the Town's Vision Plan: (1) The 14-Mile Creek Trail, off North Lake Drive and Old Cherokee Road, should be complete soon. Currently under construction: boardwalk trail head, sidewalk, call boxes, educational kiosk and outdoor learning center. The trail is 3,500 feet long. (2) Project Icehouse, at 111 and 113 South Church Street and 103 and 111 West Main Street, is underway with asbestos and salvage operation currently in progress. The former Shirey's Furniture Store will be remodeled. Council has taken the initial steps for the approval of the Downtown Redevelopment Plan and establishment of a TIF District. The area is planned to be redeveloped into a retail center featuring boutique shops and restaurants along with a 500 seat amphitheater and plaza. (3) The Lexington Paw Park's Grand Opening was held in April with more than 100 visitors and their four-legged family members. If anyone has not yet registered, pick up an application at the Parks Department or on the Town's web page. For more information, please call 359-1027. (4) The Farmers Market opens June 7, 2014 at a new location in Lexington Square, 205 East Main Street. It will be open every Saturday from 9:00 a.m. to 12:00 p.m. through September 27, 2014. To become a vendor, call Jennifer Dowden at 356-8238.

### **TRAFFIC UPDATE**

Mayor Pro-Tem Livingston gave the traffic update as follows: (1) The Phase I Traffic Plan is about to wrap up with mast arms installation complete. (2) Contractors continue to work on the I-20/Highway 378 Beautification Project which will be complete by the end of June. The Grand Opening is scheduled for May 6, 2014 at 10:00 a.m. (3) The Town has submitted five projects for The Pennies for Progress which will soon be prioritized. Citizens were asked to call 359-1027 if anyone had any traffic issues. The next Traffic Committee meeting will be held Tuesday, May 20, 2014 at 8:00 a.m. in the third floor conference 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 Ordinance Annexing Lexington County Tax Map #4200-09-097 and 4200-09-098 located off Park Road.
2. **Final Reading** of an Ordinance Annexing Lexington County Tax Map #4200-09-101 and 4200-09-100 located off Park Road.
3. **Final Reading** of an Ordinance Annexing Lexington County Tax Map #4200-09-021 located off Park Road.
4. **Final Reading** of an Ordinance Regarding the Regulation of the Sale and Possession of Synthetic Marijuana and Bath Salts.
5. **Final Reading** of an Ordinance Changing the Town of Lexington Municipal Elections.

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

**OLD BUSINESS**

1. A motion was made by Councilmember Maness and seconded by Councilmember Stambolitis for **Final Reading of an Ordinance Annexing Lexington County Tax Map #4200-09-097 and 4200-09-098 located off Park Road.**

Mayor Pro-Tem Livingston confirmed that the future development is planned by the same company (Land Tech, Inc.) that developed Wellesley. She stated that she had received a letter from a resident in Wellesley indicating several real problems that have not yet been resolved, especially the sidewalks. She read a letter from a homeowner which listed problems with roads/asphalt, sidewalks not to code for handicapped children, detention pond with no fence, and clean up as construction is done. She stated that she had visited the neighborhood and saw the sidewalks which are leaning. She did not want another neighborhood started until Wellesley is corrected. She later called on Mr. Stealman, Land Tech, Inc. to address the issues. She advised Mr. Stealman that she had concerns with some of the builders ignoring the residents regarding issues.

Mr. Hanson stated that he had reviewed some of the Wellesley issues with Kevin Stealman, Land Tech, Inc., during the last several months. He added that Mr. Stealman was present to answer any questions. Mr. Hanson stated that Mr. Stealman was presented with maps showing the areas to repair following the inspection of the area. He added that they had been advised that they had set a deadline of June to make all the corrections. Mr. Hanson did not think there was a requirement for a fence around the detention pond. He stated that final plat

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approval has not yet been given for any section of Wellesley. He added that before approval is given, it will have to pass inspection by the County; final overlay of the asphalt will have to be in place; and, sidewalks will have to be repaired.

**Mr. Kevin Stealman**, Land Tech, Inc., developer of Wellesley, stated that he had just learned of the sidewalk issue approximately 45 – 60 days ago by the Town Staff. He confirmed that they use several builders and the builder adds sidewalks as they build homes and the sidewalks are inspected by the Town's Building Department. He indicated that some builders graded the sidewalks properly and some did not. He added that he had met with Town Staff to also avoid this problem in the future because the sidewalks should have been inspected by the Town and a CO should not have been issued if not correct. Mr. Stealman stated that they had never been asked to bond sidewalk installation completion. He had agreed to hear Town Staff's concerns, look at the sidewalks, and put the builders on notice to make sidewalk corrections by the end of May. He stated that if the builder did not make corrections by that time, Land Tech would step in and make the repairs themselves. He added that the topography in the area will be difficult to make the entire sidewalk ADA compliant and to install a drive way. He stated that all the road and asphalt repairs would be made by the end of May. He was unaware of any builder issues being left unaddressed, but he would be glad to help. He stated that his mother lives in that development. He added that they do not build houses; they build roads and sell lots. Mr. Stealman announced that NBR Homes and Fortress Builders have been contracted to build the homes in the development off Park Road.

Mayor MacDougall thanked Mr. Stealman for attending in order to answer questions and his offer to make it right because it is a concern for everyone involved. He also requested that a copy of the resident's letter and the maps be made for Mr. Stealman so he would have a punch list to use.

Councilmember Stambolitis asked for confirmation concerning the sidewalk inspection. Mr. Hanson responded that Building Inspectors are concerned with the building envelope and house and have not inspected sidewalks in the past because it was done with the final inspection of roads and drainage. He added that the process has now been changed to inspect the sidewalks upfront. He stated that one issue with this particular subdivision is the length of time it has taken. It was started in 2008 and continued to build during the downturn, but it has taken longer to get it closed out and finalized. Mr. Hanson stated that some of the issues are routine maintenance issues that the developer usually does not get involved in except in this case because the project has taken over five years.

Mayor Pro-Tem Livingston confirmed that the map she had is the one that will be used in the final inspection. She recommended that the item be sent back to Work Session and/or wait until the sidewalks and roads are at least in progress before another development starts. She asked if Council did proceed, could Mr.

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Stealman put more pressure on his builders and if they did not finish, would Land Tech step in before the end of June when the children are out of school.

Mr. Kevin Stealman stated that he had additional questions and comments. He stated they are the common thread in the two projects as they are the Development Manager for one and the owner and developer of the second one. He added that they spent months and months through the permitting process since the previous owner did not want to be annexed. Mr. Stealman stated that they want to be annexed because they want water and sewer. He added that they are actually obligated to be annexed with a signed water and sewer agreement, yet Council was asking to defer the vote. He felt they were non-related projects. He stated that they intend to fulfill their obligations at Wellesley and have bonds in place for that reason. Mr. Stealman stated that they do not have any leverage over the builders to fix the sidewalks, but they were given a deadline of May 31, 2014. He added that they do not have to buy anymore lots, but they do have a good relationship with the builders and he expects them to step up and do the work. He assured Council that if the work was not done, they would be geared up to have it complete by around June 7, 2014, particularly for the sidewalk repairs.

Councilmember Williams asked if the Town requires that the sidewalks be complete before a CO is issued. Mr. Hanson responded that the Town now requires it, but it was not part of the normal procedure. Councilmember Williams stated that he walked the sidewalks and he knew the condition they were in. He added that he was out there at night and heard masons laying brick using only the light of a street light. He understood why the sidewalks could not be laid first because trucks would tear them up during home construction. He stated that he had actually turned his ankle several times on the road. He also asked about the entrance to the neighborhood at Ginny Lane. Mr. Stealman stated that where the road meets the main road, they would make sure it was a smooth surface, but there is 400 feet of road past the school that belongs to SCDOT and it needs to be repaved.

Councilmember Williams wished to make a motion to send the item back to a Work Session due to the conditions of the roads and sidewalks. Mayor MacDougall stated that there is a motion on the floor. Mayor Pro-Tem Livingston confirmed with Mr. Hanson that if the roads and sidewalks are not to standard, the Town does not have to accept them. She asked Mr. Stealman if he would consider taking the residents' letters and move the item to the next Council meeting on June 2, 2014 to, not back to a Work Session in order to give him time to resolve the issues. Mr. Stealman stated that they should have their land disturbance permits this week but would not be ready to convey lots any time soon. He added that they have another project, 39 lots, on Corley Mill Road that is in the County, but they will purchase water and sewer from the Town. Councilmember Stambolitis asked how they had permits without annexation. Mr. Hanson responded that the Town sells water and sewer to out of town

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customers. He advised Council that they always have the bonded plat to fall back on with the new project moving forward. Mr. Stealman stated that the Town would have several other opportunities between the start of construction and recording the plat. He added if they are annexed into Town, Council controls when it is recorded.

Councilmember Stambolitis thought the developer had responsibility of sidewalks and asked how they required that of the builder and to maintain consistency and continuity without inspecting them. Mr. Stealman stated that they have done 10,000 lots in 12 municipalities and they only built sidewalks in common areas. He added that builders have codes to go by and since every sidewalk joins a drive-way, the builder is responsible. He stated that they all use a form board and pour sidewalks directly on the dirt. Councilmember Stambolitis asked for a time line from the developer.

Town Administrator Poole wished to clarify how roads and sidewalks are formulated. He stated that when infrastructure is installed, there is a bond for that work in the amount of 1 ½ times the estimated amount of the doing the work. He added that the concept is if it is done wrong, or if the contractor walks away from it, the Town calls the bond, takes bids, and completes the work themselves. He stated that, as pointed out by Councilmember Williams, roads are done in phases so the construction trucks won't ruin the road. He stated this has been the standard practice for years. Mr. Poole stated that in this case, the roads have not yet been accepted, but the developer does not want the Town to call the Bond and the Town does not want to call the Bond. He confirmed that there is a time line and safety measures in place.

Mayor Pro-Tem Livingston stated that the developer has assured them that the sidewalks would be complete by May 31<sup>st</sup> by the builders and if not, Land Tech will complete it the following week because there is less than a week of work to finish it. Mr. Stealman stated that they would let the residents know because citizens have complained when access to their drive way is blocked. He added that there are 360+ homeowners and he first heard about the sidewalks just two months ago. Mayor Pro-Tem Livingston stated that the deadline is important because there are a lot of young families with children in that neighborhood.

Councilmember Carnes stated that they are discussing two different issues and the Town has measures in place to ensure enforcement of the issues that Council was made aware of so Council can separate the two developments. Mayor MacDougall agreed and stated that Mr. Stealman has put forth a good faith effort to make sure it is corrected and the Town still has a stop gap measure if needed.

Councilmember Maness asked about the resident's letter which stated that they have been trying to resolve the issues since last August. Mr. Stealman responded that they had a HOA meeting to elect officers and a question was raised about sidewalks and he advised them to talk to their builders and he never heard

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anything else about it. He received the map from the Town two months ago and he received the price of repairs which was higher than budgeted and he asked to get the builders involved to step up and do what they were supposed to do in the first place. Mr. Stealman responded to the question about trash and stated that he just received a picture of it. He stated that the trash was left by a previous contractor, but they were having it cleaned up.

Councilmember Williams confirmed that if the developer came to the Town to get the final plat then the Town does not have to sign off on it to get the bond, but if they don't ever get the final plat, the Town has a way to go after the bond. Mr. Poole explained that the Town makes a determination that the work is not being done and there is no time line. Councilmember Williams used July 1<sup>st</sup> as an example, if the developer did not finish the sidewalks, the Town could go after the bond. Mr. Poole stated that it could be set as the time line, but it was a short time frame to take such drastic measures.

Councilmember Maness retracted her original motion and wished to make a new motion. Councilmember Stambolitis retracted his second to the original motion.

Councilmember Maness made a new motion to move Old Business #1 through #3 to Council's Regular Meeting on June 2, 2014 which would allow the builders until May 31, 2014 to finish the sidewalks. Councilmember Williams seconded the new motion.

Councilmember Carnes stated that the Town has the measures in place to ensure enforcement. He stated that this is the first time Mr. Stealman has appeared before Council and he has heard what Council said. He would be shocked if Mr. Stealman did not go to work to fix this issue as he has said. He added that it feels a little strong to take an entirely separate project and put it on hold as a punitive measure to try to get him to clean up the first project. He expects that, in good faith, Mr. Stealman would do what he promised and if not, there would be measures that the Town could take. He added that this seems heavy handed. Councilmember Shevchik stated that he agreed with Councilmember Carnes.

Mayor Pro-Tem Livingston confirmed with Mr. Stealman that this was their first project in the Town of Lexington, but they have done others in the county. Mr. Stealman stated that they have generated millions in tax fees, sewer fees and impact fees and they have been a good citizen and fulfilled their obligations which they will continue to do no matter where they go. Mayor Pro-Tem Livingston wanted to make sure that he heard her since she had received the most calls and he has guaranteed her that it would be done. She asked about the pump station. Mr. Stealman confirmed that they did not have a pump station in Wellesley because they tied into a gravity sewer in Twelve Mile Creek. Mr. Poole stated that there is a small package plant behind Victoria Lakes that they may be referring to in the resident's letter. Mr. Stealman stated that they saved

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the tax payers approximately one-half million dollars by allowing the school district to access their sewer.

Councilmember Stambolitis asked if this problem was isolated to one or two builders. Mr. Stealman stated it was the first time Holidays Builders had been in the area and they are more used to flat ground. He added that they no longer use Hurricane Builders so he was not optimistic that they would step up. Councilmember Stambolitis asked if delaying the annexations would delay his project. Mr. Stealman stated that he was trying to figure out how he can be obligated to be annexed, yet they are talking about deferring the annexation, and what it means. Mayor Pro-Tem Livingston stated that the developer is obligated to annex and to come on board with water and sewer and he has agreed to get the issues fixed. She added that he even agreed to complete the issues by June 1<sup>st</sup> instead of waiting until the end of June. Mr. Stealman offered to meet with the homeowners; meet with Council anytime or at the site, because it is their 100% intent to get to a final plat by making Mr. Hanson and Rosemarie Nuzzo, Town Engineer, happy. Mayor Pro-Tem Livingston stated that since Mr. Stealman has given them his cell number and is willing to come out to the site anytime; that makes her happy. Councilmember Stambolitis requested that a Town representative also be present if there is a homeowners meeting. Mayor Pro-Tem Livingston responded that the Staff has been present at the meetings.

Councilmember Shevchik wished to amend Councilmember Maness' motion for Final Reading approval of Old Business Items 1 through 3. **(1. Final Reading of an Ordinance Annexing Lexington County Tax Map #4200-09-097 and 4200-09-098 located off Park Road – Rebecca and Gerald Starnes. 2. Final Reading of an Ordinance Annexing Lexington County Tax Map #4200-09-101 and 4200-09-100 located off Park Road – Micah Lindler. 3. Final Reading of an Ordinance Annexing Lexington County Tax Map #4200-09-021 located off Park Road – Dove Chase Property Owner's Association.)** Councilmember Carnes seconded the motion. Councilmember Stambolitis confirmed the new motion and stated that the bonded plats are insurance enough. Mayor Pro-Tem Livingston stated that Mr. Stealman has said in his own words that he will start on June 1, 2014 to finish the sidewalks if the builders have not done so and if he finds out earlier that they are not going to step up, he will. Mayor MacDougall thanked Mr. Stealman for his honesty and openness to come forward and he was sure he knew how these seven Councilmembers feel. He added that the Town has a lot of residents in that area and they plan to take care of them. Mr. Stealman stated that he understood and he was born in raised in Lexington also. Mayor MacDougall stated (jokingly) that they would go visit his mom's house first. Councilmember Maness stated that she is going to vote to move forward, but she wants to be supportive of their neighbors and she took Mr. Stealman at his word. Mayor MacDougall called for the vote. The motion for Final Reading approval of Old Business Items 1 through 3 (Ordinances annexing Lexington County Tax Map #4200-09-097 and 4200-09-098; 4200-09-

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101 and 4200-09-100; and 4200-09-021 located off Park Road) was unanimously carried.

4. A motion was made by Councilmember Carnes and seconded by Councilmember Stambolitis for **Final Reading Approval of an Ordinance Amending Section 99.03(A) and Section 99.03(B) Increasing the Maximum Civil Penalty to \$500 for Violation of the Ordinance Prohibiting the Sale of Synthetic Marijuana and Bath Salts.** Councilmember Stambolitis asked Chief Green about the components of the chemicals and if this only restricted the two items mentioned. Chief Green stated that the manufacturers will only rename it. He added they could not completely stop it because they cannot recreate the State Statue which is criminal, not civil. He stated that the Town's Ordinance does not have anything in it for a compound, in order to avoid labelling. He thought that the \$500 fine would be felt by those businesses just coming into Town. The motion was unanimously carried.
5. A motion was made by Councilmember Williams and seconded by Councilmember Shevchik for **Final Reading Approval of an Ordinance Changing the Town of Lexington Municipal Elections to even numbered years, and extending the terms of sitting Council members by one year.** The motion was unanimously carried.

**NEW BUSINESS**

1. **Request for Facility Rental Fee Waiver for American Legion Post 217:** The American Legion Post 217 is sponsoring a banquet to help raise funds for the purchase of a new roof for the American Legion Post 217 building. The organization asked for a Fee Waiver for Saturday, July 27, 2014 for use of the conference Center. Following is the value for the American Legion Post 217 event: Conference Center Rental fee \$600 (in town) or \$1,000 (out of town). The \$250 deposit is still required. (Request letter attached.)

A motion was made by Mayor Pro-Tem Livingston and seconded by Councilmember Carnes to approve the facility rental fee as stated. Councilmember Williams stated that after doing some research on this issue, other rental facilities charge a custodial fee. He would like to ask Staff to come up with an estimated cost to clean up after events. He added that the Town should determine how to charge such a fee. Mayor MacDougall stated that is a separate issue, not related to the request item. He recommended it be brought to a Council Work Session. Councilmember Williams asked if Staff knew how much it cost to clean the room(s). Town Administrator Poole responded that they have a general idea based on square footage. He added that the rental contract currently states to clean the room following an event, but if they don't Town Staff has to complete it. The motion was unanimously carried.

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2. **Request for Facility Rental Fee Waiver for Distinguished Young Women of South Carolina:** The Distinguished Young Women of South Carolina Scholarship Program is sponsoring a banquet for program participants during the State Competition which will award one young lady the opportunity to compete on the national level. The organization asked for a fee waiver for Thursday, July 24, 2014 for use of the Conference Center. Following is the value for the Distinguished Young Women of South Carolina Scholarship Program event: Conference Center Rental Fee \$600 (in town) or \$1,000 (out of town). The \$250 deposit is still required. (Request letter attached.)

A motion was made by Councilmember Maness and seconded by Councilmember Stambolitis to approve the rental fee waiver as stated. The motion was unanimously carried.

3. **Lexington Paw Park Rules:** The Lexington Paw Park is a new amenity to the Town's Park system. Many requests come before Staff for changes or exceptions to the rules. Instead of bringing each of these requests to Council, the Director of Parks, Streets and Sanitation would like the authority to modify the rules as issues arise.

A motion was made by Councilmember Stambolitis and seconded by Councilmember Maness to authorize the Parks, Streets and Sanitations Director to modify Lexington Paw Park Rules regarding issues arising out of the use of the park. The motion was unanimously carried.

4. **Woodcreek Subdivision Decorative Street Signs:** The Vice Chairman for the Woodcreek Homeowners Association requested that the Town approve the replacement of the street, traffic control and other regulatory signs following Town Policy of allowing payment to the HOA of the cost of standard signs. The HOA would pay the difference to display decorative signs.

Street intersection identification signs:	22 @ 130.30/=	\$2,866.60
Stop Signs:	35 @ 110.50/=	\$3,867.50
Regulatory Signs	10 @ 110.50/=	<u>\$1,105.00</u>
TOTAL		\$7,839.10

A motion was made by Councilmember Shevchik and seconded by Councilmember Stambolitis to approve payment to Woodcreek HOA for the cost of standard signs with half (\$3,919.55) to be disbursed by the Town in FY2015 and half (\$3,919.55) to be disbursed in FY2016 as receipts from the HOA are received. Town Administrator Poole stated for the record that Mayor Pro-Tem Livingston and Councilmember Williams had recused themselves from the discussion and vote as residents of Woodcreek. (Recusal form attached.) Councilmember Shevchik asked for clarification on the years to split the dollar amounts. Finance Director Roberts stated that what was read is correct for one-

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half in 2015 and half in 2016. She added that the HOA had indicated to her that they did not have enough money to do it this year in order to provide receipts. No one was present from Woodcreek HOA to speak. Director of Parks Streets and Sanitation Walker stated that he talked to the Vice Chair of the HOA and he confirmed that they did not have the funds now to do the project and they were in the process of raising the money. Mr. Walker added that the Vice Chair told him that they would probably start in January of 2015 and do the other half in July. Town Administrator Poole recommended that Council modify the motion to read payment would be made when the receipts were received, knowing that it could be spread over two fiscal years. Councilmember withdrew his second to the motion in order to modify it. Councilmember Shevchik which to modify his motion to read: Motion to approve payment of \$7,839.10 to Woodcreek HOA for the cost of standard signs to be disbursed over two fiscal years to be determined by receiving the receipts from the Woodcreek HOA. He wished to state for the record that this is standard procedure by the Town when signs are replaced; some subdivisions want to upgrade their signs and are willing to pay the difference between upgraded signs and standard signs. Councilmember Stambolitis seconded the amended motion. The motion was carried with four (4) in favor and two (2) recused (Livingston, Williams).

5. **First Reading of an Ordinance Adopting the FY 2014-2015 Budget:** South Carolina law requires Town Council to adopt a balanced budget each year. Budget Revenue and Expenditures are attached as well as the draft ordinance.

A motion was made by Councilmember Carnes and seconded by Councilmember Maness to approve First Reading approval of an Ordinance Adopting the FY 2014-2015 Budget. Mayor MacDougall thanked Staff for all their hard work because he knew they had to do some belt tightening. Councilmember Maness confirmed that this was the 28<sup>th</sup> consecutive year of a balanced budget without any tax increases. The motion was unanimously carried.

6. **First Reading of an Ordinance to Provide for the FY 2014-2015 Tax Levy:** South Carolina law requires Town Council to adopt the Tax Levy each year. Attached is the draft Ordinance for Tax Levy FY 2014-2015.

A motion was made by Councilmember Williams and seconded by Councilmember Shevchik to approve First Reading approval of an Ordinance to provide for the FY 2014-2015 Tax Levy. The motion was unanimously carried.

**ANNOUNCEMENTS**

**Mayor MacDougall** wished to recognize Boy Scout Troop 425. He told them they had received a full plate tonight from witnessing the swearing-in of a new Councilmember to straightening out a developer in Town. He thanked them for attending.

**Councilmember Williams** made the following announcements: (1) He expressed the Council's sympathy to the family of Harry Harman, Lexington County Coroner. He stated that he had a great working relationship with Harry and he would be missed by many. (2) He wished a Happy Birthday to Mayor Pro-Tem Livingston on May 22<sup>nd</sup>. (3) He thanked Staff and all those who came out and helped clean-up Lexington last month during the 8<sup>th</sup> Annual Lexington Clean-Up Day – including Mayor MacDougall and his daughters. (4) He congratulated CJMW and Mr. Kohn on the Palmetto Collegiate American Institute of Architects Award and thanked him for sharing the honors. (5) He thanked everyone for the big turn out last month at the Town's newest dog park – Lexington Paw Park. He hoped all the citizens enjoy bringing their dogs to the new park and if they haven't registered, to please call the Parks Department at 359-1027. (6) He announced that May 4 – 10, 2014 is Municipal Clerk's Week. He thanked Municipal Clerk Becky Hildebrand and Assistant Municipal Clerk Karen Hanner and commended them on handling three elections in six months. (7) He reminded everyone that Lexington's Wine Walk is this Saturday from 6:00 to 10:00 p.m. He added that tickets are \$30.00 online or \$40.00 at the gate. He stated that this has been a very successful event and all the proceeds from go to beautification projects in the Town. He thanked all the sponsors, volunteers and the Lexington Beautification Foundation. (8) He announced that Council returns to their summer schedule starting tonight with a combined Work Session and Council meeting. The next meeting dates are: June 2<sup>nd</sup>, July 21<sup>st</sup>, August 18<sup>th</sup> and September 15<sup>th</sup>. The dates will also be posted on the Town's web page. (9) He wished all the Moms a Happy Mother's Day on May 11<sup>th</sup>. And on Memorial Day, May 26<sup>th</sup>, please take time to remember those veterans who died for our country. (10) He announced that there were 150 campers and 300 movie goers at the recent Movies in the Park which was an outstanding event. He stated that as the newest Councilmember he looks forward to serving the citizens of Lexington. He wished everyone a good evening.

**Mayor Pro-Tem Livingston** reminded everyone that this is National Nurses Week and she wished to particularly commend her daughter and Mayor MacDougall's wife who are both nurses as well as all the nurses that do such a great job. She added that her daughter recently saved someone's life in her neighborhood and she was very proud of her. She announced the arrival of her and her husband's newest granddaughter who was born healthy and beautiful last week and they are excited to have two princesses in the family.

**Mayor MacDougall** reminded everyone of the unveiling of the Town's first Vision Plan's "front porch" to be held tomorrow at 10:00 a.m. at the I-20/Sunset Boulevard interchange. He added that it was very exciting project with a beautiful sign as you enter Lexington. He stated that you could not miss the sign because it is as big as a

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truck. Councilmember Stambolitis confirmed that citizens could park in the park-and-ride lot next to the new sign.

**NEWS MEDIA QUESTIONS:** None.

**PUBLIC COMMENTS**

Ms. Constance Carator Flemming wished to congratulate the new Councilmembers and commended the seated Councilmembers for the excellent work that they did during trying times in holding everything together. She commended the voters for coming out stronger the second time. She personally thanked those who did not think it proper to vote for her. She wished everyone well and added that they would be seeing her.

**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 Mayor Pro-Tem Livingston and seconded by Councilmember Williams to adjourn the Council Meeting. The motion was unanimously carried.

The Regular Council meeting was adjourned at 8:07 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.*