

MINUTES
Town of Lexington

REGULAR COUNCIL MEETING
August 17, 2015

Town Council held a Council Work Session preceded by an Executive Session and followed by a Regular Council meeting (*summer schedule*) on August 17, 2015 starting at 6:00 p.m. in the Eli Mack Sr. Room and Council Chambers located at Town Hall, 111 Maiden Lane, Lexington, South Carolina. The meetings were attended by: Mayor Steve MacDougall, Mayor Pro-Tem Hazel Livingston, Council Members Kathy Maness, Ted Stambolitis, Todd Shevchik, Todd Carnes and Ron Williams.

Staff members present were: Town Administrator Britt Poole, Assistant Town Administrator Stuart Ford, Municipal Attorney Brad Cunningham, Assistant Police Chief Matt Davis, Utilities and Engineering Director Allen Lutz, Finance Director Kathy Roberts, Economic Development Catalyst Johnny Jeffcoat, Parks, Streets and Sanitation Director Dan Walker, Chief Building Inspector Charly Thomas, Transportation Director Randy Edwards, I.T. Manager Bea Daniels, Network Administrator Darrell Pritchard, Events and Media Coordinator Jennifer Dowden, Assistant Municipal Clerk Karen Hanner, and Municipal Clerk Becky Hildebrand.

There were approximately forty-five (45) citizens present for the Council meeting and three (3) members of the news media.

INVOCATION, PLEDGE OF ALLEGIANCE AND CALL TO ORDER: Mayor MacDougall welcomed everyone to the meeting. He introduced the Town Councilmembers. Pastor Scott Crede, Northside Baptist Church, gave the invocation. Councilmember Shevchik led in the Pledge of Allegiance. Mayor MacDougall called the meeting to order at 6:35 p.m.

EXECUTIVE SESSION REPORT: Reported during Council's Work Session.

DELETIONS ON AGENDA: None.

VISION PLAN UPDATE

Mayor MacDougall gave a brief review of the Town's Vision Plan: (1) The Lexington's Farmers Market is in the second half of its season and will run through September 26th each Saturday from 9:00 a.m. to 12:00 p.m. (2) A ground breaking will be held on September 1st at 10:30 a.m. for the Ice House Project and Amphitheater. (3) The survey and establishment of pathway alignment was completed in July for the Old Mill Pond Trail. The design is currently 20% complete.

TRAFFIC UPDATE

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Mayor Pro-Tem Livingston gave a traffic update: (1) Phase I of the Adaptive Signal Project, including 19 signalized intersections, is under construction with general contractor German Technical Group of Mount Pleasant, S.C. Intermittent construction activity and associated lane closures will be experienced over the next several months. (2) The Town Transportation Department is now handling all maintenance and operations for 35 traffic signals in and around Town. (3) There will not be a Traffic Committee meeting this month. The next meeting will be September 22nd at 8:00 a.m. in the Third Floor Conference Room at Town Hall. (4) Citizens were encouraged to call 359-1027 to report traffic signal issues, unsafe roadway situations, or a pot hole that needs to be repaired.

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 #5300-03-049 located adjacent to the Prescott Glen subdivision.
2. **Final Reading** of an Ordinance Annexing Lexington County Tax Map #5329-01-223 located in the Prescott Glen subdivision.
3. **Final Reading** of an Ordinance Annexing Lexington County Tax Map #5333-01-063 located in the Meadowview subdivision.
4. **Final Reading** of an Ordinance Annexing Lexington County Tax Map #5300-03-019 located at 609 Rawl Road.
5. **Final Reading** of an Ordinance Annexing Lexington County Tax Map #5300-07-012 located at 600 Rawl Road.

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

OLD BUSINESS

1. A motion was made by Councilmember Maness and seconded by Councilmember Stambolitis to table Old Business (1) **Final Reading** of an Ordinance for Annexing Lexington County Tax Map #5300-03-049 located adjacent to the Prescott Glen subdivision along with; (2) **Final Reading** of an Ordinance Annexing Lexington County Tax Map #5329-01-223 located in the Prescott Glen subdivision; (3) **Final Reading** of an Ordinance Annexing Lexington County Tax Map #5333-01-063 located in the Meadowview subdivision; (4) **Final Reading** of an Ordinance Annexing Lexington County Tax Map #5300-03-019 located at 609 Rawl Road; and (5) **Final Reading** of an

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Ordinance Annexing Lexington County Tax Map #5300-07-012 located at 600 Rawl Road. Councilmember Shevchik wished to clarify that Council wants to send these items back to the Planning Commission in order for them to receive input from the Council. Councilmember Stambolitis stated that the Planning Commission turned the item down so he wished to confirm why they should send it back to the Planning Commission. Councilmember Williams explained that the Planning Commission had asked for direction from Council so Council requested that Town Administrator Poole have further discussions with the Planning Commission as directed. Councilmember Stambolitis requested that the Planning Commission Chairman, Keith Frost, address the Council regarding the opinions of the Planning Commission.

Mr. Keith Frost, Planning Commission Chairman, stated that the Planning Commission had reviewed this item in June and July. He stated that the first time they looked at it they determined that the area was not addressed in the Town's Comprehensive Plan; therefore, it was new to the Planning Commission. Mr. Frost stated that they had requested additional information from Mr. McGuinn, when in reality they needed additional information from Council. He stated that the Council needed to let the Planning Commission know if they in fact want to move west with the Town limits and, if so, it is a good first step because there is potential for a lot of growth in that area including commercial and residential near Charter Oak, Pisgah Church Road and Longs Pond Road. He requested further advice from Council on their wishes for development in that area over the next several years. Mr. Frost stated that "shoe string annexations" are how most properties down Highway 378 were obtained, by going way down Twelve Mile Creek on a 30 foot strip. He added that it is not the best way to do it, but it is the best tool available going into an area that is sparsely developed.

Councilmember Stambolitis wished to confirm that Council wanted to send it back to the Planning Commission to give them direction. He asked if Council was going to give that direction tonight or in a special meeting. He stated that the general consensus was that Council wants to grow the Town. He wants to see growth, both residential and commercial, from his perspective and not be limited to a certain border. Mayor MacDougall stated that during the Executive Session Council had given the Town Administrator authorization to talk openly with the Planning Commission, just as they had tonight, and let them know how Council feels about annexations and growth of the Town. Mayor MacDougall added that Councilmember Stambolitis was 100% correct in that the Council wants to see the Town grow. He added that, as they discussed tonight, when an opportunity presents itself, Council wants to take advantage of it. Mr. Frost stated that the Town already provides utilities in the proposed annexed area. He stated that the only negative issues discussed in the Planning Commission were regarding if the Town wanted to expand to that area and common areas of subdivisions. He added that they worked with the best information they were given at a specific time to position it for the future.

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Councilmember Stambolitis asked if the Comprehensive Plan included this area. He also asked when was the Comprehensive Plan updated. Mr. Frost confirmed that the Comprehensive Plan did not include the proposed area. He added that the Plan was updated last year and it did not include the area as a concept. Councilmember Stambolitis asked who provided input for the Comprehensive Plan. Mr. Frost stated that Staff and the Planning Commission work on the Plan and it is then presented to Council for approval. Mayor Pro-Tem Livingston confirmed that some of Council had concerns about shoestring annexations.

Mr. Wade McGuinn, developer located at 3300 Sunset Blvd., stated that he could not add to the presentation regarding the annexation. He added that it is a complex issue and when they were asked for additional information, they took it to heart and provided approximately two inches of paperwork. He stated that they also took a look at the Comprehensive Plan, which basically ends at Rawl Road. Mr. McGuinn stated that this property, including the shoestring portion, is 1,400 yards from the last annexation and is outside the current area. He stated that the utility structure extended well into the west area. He added that folks are coming to this area one way or the other, whether in the Town or in the County. He stated that some of it is whether they will become constituents or not and how the revenue will be used. Mr. McGuinn stated that he and Mr. John Stephens, the other developer on the Rawl Road and Meadowview pieces, were asked to sign an agreement with the Town to bring forward a seven year plan for the sewer growth in that area which included a \$700,000 contribution for the Town to make an upgrade for the lift station. He stated that they agreed to pay \$300,000 of that in cash, in advance, to bring that plan forward. He added that the recession had ended more abruptly than they expected and now they have robust development between Barr Lake, Meadowview and Pleasant Springs. He stated that within those documents, Council could see that in four short years a U.S. Census will take place and Federal funding for the Town and others will be based on growth and population. Mr. McGuinn stated that luckily they were not in a hurry and they have had an opportunity for everyone to hear their requests and understand the project. He hoped it had a good outcome for them and he would be available for questions or to supply additional information.

Councilmember Maness stated that as the Council Liaison to the Planning Commission, she was at their meeting, and they requested that Council vet this annexation issue and that is why the vote was 7 to 1 against the annexation. She added that is why they are sending it back to the Planning Commission so they will know how Council feels about it. She stated that they want a positive vote from the Planning Commission. Mr. McGuinn thanked her and stated that is what he has been hearing. He added that he hoped for a positive result and a good direction.

Councilmember Stambolitis stated that the vetting process is admirable but the missing link is letting the Planning Commission know that the Council wants to grow the Town and in a west direction or stop at the current Comprehensive Plan

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in order to give them a mandate. He asked for clarification. Mayor MacDougall responded that is the conversation that the Town Administrator will have with the Planning Commission as discussed earlier.

Mayor MacDougall called for the vote to a motion made by Councilmember Maness and seconded by Councilmember Stambolitis to table Old Business item #1 through #5 as stated to send the items back to the Planning Commission in order for them to receive input from the Council via the Town Administrator as previously discussed. The motion was unanimously carried.

NEW BUSINESS

1. **First Reading of an Ordinance to Amend Building Code Ordinance §150.01:** The Town of Lexington currently follows the Building Code adopted and mandated by the State of South Carolina. However, the Town Code needs to be amended to make it clear that Chapter 1, the Scope and Enforcement section, is also included. (Copy of Amendment attached.)

A motion was made by Mayor Pro-Tem Livingston and seconded by Councilmember Carnes to approve First Reading of an Ordinance amending §150.01 of the Town of Lexington Code of Ordinances to include Chapter 1, Scope and Enforcement. The motion was unanimously carried.

2. **First Reading of an Annexation of Lexington County Tax Map #3500-03-161 Located in the 4800 Block of Sunset Boulevard:** JTMG, LLC owns 9.3 acres located in the 4800 block of Sunset Boulevard and requested to annex the property. A 39,000 square foot auto dealership is being planned on the site. Properties in Town near this are zoned General Commercial (GC) and Sunset Boulevard is classified as an Arterial Road. The Planning Commission reviewed this annexation during their July meeting and recommended the same zoning and road classification for this property.

A motion was made by Councilmember Maness and seconded by Councilmember Williams to approve First Reading of an annexation of Lexington County Tax Map #3500-03-161 as stated. The motion was unanimously carried.

3. **First Reading of an Ordinance to Adopt a 2% Local Hospitality Tax:** State Law allows a municipal governing body to adopt a local hospitality tax on prepared foods and beverages. Hospitality tax proceeds must be used for the purpose indicated in S.C. Code Section 6-1-730 which includes:

- (1) Tourism-related buildings including, but not limited to, civic centers, coliseums, and aquariums;

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- (2) Tourism-related cultural, recreational, or historic facilities;
- (3) Beach access and re-nourishment;
- (4) Highways, roads, streets, and bridges providing access to tourist destinations;
- (5) Advertisements and promotions related to tourism development; or
- (6) Water and sewer infrastructure to serve tourism-related demand.

Additionally, within specified limits, operation and maintenance related to these purposes may be funded by Hospitality Tax. Hospitality Tax is estimated to initially generate approximately \$2 million annually. Town Council has identified qualifying projects and uses for the proceeds which have been put forth to the public via meetings. Town Council will appropriate funding through annual adoption of a Hospitality Tax budget.

A motion was made by Councilmember Carnes and seconded by Councilmember Shevchik to approve the amended wording for First Reading of an Ordinance to adopt a 2% Local Hospitality Tax to begin October 1, 2015 for a term of eight (8) years set to expire December 31, 2023 to pay for three (3) projects presented to the public that fall under #4 of S.C. Code Section 6-1-730 (Highways, roads, streets, and bridges providing access to tourist destinations). He added that Council has made a commitment to these projects, not to the 2% tax per say, because they have a mandate from the citizens to improve traffic flow efficiency in the Town and this funding allows Council to improve traffic. He further requested that the Resolution, at Final Reading in a month, define the projects with funding designated for only the three projects set to expire once those projects are paid for.

Councilmember Stambolitis stated that he had additional comments and he requested that the Mayor allow the public to speak on the issue. Mayor MacDougall deferred to Councilmember Stambolitis. Councilmember Stambolitis stated that out of respect for the Mayor and Council, he would like to discuss his opinion on the Hospitality Tax proposal because he understands the urgent need to fix traffic congestion, but there were some issues that concerned him which he listed as follows: (1) The Council must take their time to create a good proposal that will do the greatest good such as: are there any other road improvements that will have a greater impact. (2) Before Council decides which roads to construct or improve they should hire an independent traffic engineering firm to do a traffic impact study and research the suggested proposals as well as additional plans. (3) Once the projects are identified they should obtain actual construction costs related to the improvements and create a budget itemizing those costs. (4) Some of the proposed improvements contradict the Town's Master Vision Plan such as one-way pairs at Church Street, Main Street, South Lake and North Lake Drive because the Vision Plan speaks against one-way pairs. (5) Before proposing a

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new tax, Council should explore and exhaust all other funding sources. Councilmember Stambolitis added much like West Main Street, Butler Street and East Main Street when Council was able to obtain funding from the State and Federal Government. He stated that the State and Federal Government needs to step in because the roads are State and Federal roads. He stated that he had talked to some State and County Legislators and they told him there are discussions to add a gas tax to fix roads and that topic has not been completely entertained. (6) The hospitality industry is already heavily regulated and taxed and they do not have a vote or say so, which they should. Councilmember Stambolitis stated that Accommodations Tax has a committee that determines how that money should be spent, yet there is no Hospitality Tax committee. (7) He stated that there are a lot of citizens on a fixed income and the tax would hurt them because they have a limited amount of money which would hurt them and their ability to go out to eat. (8) Before Council makes any changes on roads, they need to analyze the results of the installation of the Adaptive Traffic Light System. Councilmember Stambolitis added that it is a very exciting system that this Council came up with and funded and are in the process of constructing; therefore, they do not have the full results of the impact it will have on which roads. He suggested that the traffic study be done after the Adaptive System is fully implemented and vetted out. Councilmember Stambolitis stated in closing, this is a good Council and if they take their time they have a chance to do a lot of good, but the current proposal and the Hospitality Tax has many issues that trouble him; therefore, he is opposed to it and he will be voting no. He thanked the Mayor, Council and citizens.

Mayor MacDougall called for additional comments from Council related to the motion.

Councilmember Carnes stated that with all due respect to his colleague, Councilmember Stambolitis, he would like to weigh in and note a few things. He stated that the Ordinance is all about providing more efficient traffic flow in the Town; it is not about the tax. He added that the tax just happens to be the only source of income for this proposal. He stated that in his discussions with Town Administrator Poole, the last time the Town received significant money, as in millions; from the State or Federal government was in 2008. For the current proposed projects one will cost almost \$3 million and one will cost approximately \$6 million. He stated that the reason the Town received funds in 2008 was because the country had a financial meltdown and the Federal government printed approximately \$800 billion and started handing it out and the Town ended up with about \$8 - 12 million. Councilmember Carnes stated that the only way the Town would receive additional money would be if the Federal government did another TARP (Troubled Asset Relief Program) and hands out a trillion dollars which he is personally against. He stated

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that there is no State funding or Federal funding and you can write or call, but the funds are not there. He added that it leaves the Town with no recourse to press the projects forward other than to secure our own funding. He stated that in the future the County could bundle up a referendum for transportation that Lexington County residents could vote on. If the County did that they could come into hundreds of millions of dollars which may indeed be a source for funding the proposed road projects which are needed and it would alleviate the need for the tax that Council is voting on today. Councilmember Carnes stated that State Legislators could come to an agreement on a gas tax, since gas is about \$2.00 a gallon, which would bring millions to the State of which the Town might receive \$10-12 million to increase traffic efficiency - perhaps, and if they would, it would be beautiful. He stated that it is not about the tax – it is about the projects. He added that when he came on Council about a year ago, the only thing he heard from constituents was that the number one problem in Town was traffic. Councilmember Carnes stated that we can no longer afford to be reactive or passive, we have to be proactive. He added if the citizens of the County, the State Legislators, or if the Federal government decides to print another trillion dollars and hand it out, we may have another revenue source. He stated other than that we should be proactive, press forward, begin the process, and see what happens. Councilmember Carnes stated if we don't do that we will be held captive by agencies in other places that do not understand what 5:00 p.m. looks like to get home from Columbia to Lexington. He stated that he ran the numbers for himself and he estimated that it would personally cost him about \$105 a year, but it could save him about 15 minutes a day, 2 ½ hours a week, or 110 hours a year –he estimated his time was worth at least \$1.00 an hour. He added that there is a recoup mechanism whereby we can save our own personal time to be home and capture our own individual time. Councilmember Carnes stated that everyone understands the complexity of the issues, but it is time to be proactive and move the ball forward. He stated that as Mr. McGuinn had just informed them – people are coming and they are coming by a little more than 1,000 a year and if we wait another 2 to 5 years, there will be 6,000 to 8,000 more and traffic will not be better. He stated that he can guarantee the citizens that Council will do the comprehensive studies, affirm everything they propose on paper; and get the best engineers to reach the highest efficiencies. He added that it was a little longer speech than he was supposed to give, but he feels strongly about Council being proactive to solve problems and if the State or Federal government decides to help that would be great.

Mayor MacDougall called for additional comments from Council related to the motion. Councilmember Stambolitis stated that he had a rebuttal. Mayor MacDougall deferred to Mayor Pro-Tem Livingston.

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Mayor Pro-Tem Livingston stated that she was the longest serving Councilmember, having served on Council for 17 years. She stated that she was here from start to finish in order to get the money for the project that just finished up. She added that she had worked very hard to get that money and it was not easy to come by because it was beg, beg to get it and finally it came through. Mayor Pro-Tem Livingston stated no one else was here on Council at the beginning, but it took approximately 14 years from start to finish. She added that during that time the roads continued to deteriorate. Her husband sat in traffic this morning for 30 minutes at Ginny Lane and it will only get worse as more developments happen. She stated that they cannot let it continue to bottleneck and they have to be proactive. Mayor Pro-Tem Livingston stated that people that know her know that she is very conservative, a coupon cutter, a sale price person, a small business owner, and does not like taxes, but she understands everything about it; however, it is not acceptable to wait another 12 years ignoring our roads and not helping ourselves when her granddaughter will be 20 years old and driving these roads. She stated that she has to be proactive for the families that live in Town. She believes that the majority of citizens in Town who travel the roads want everyone who travels the roads to share the cost and not for it to just be put on them. She added that if the 20,000 citizens were the only ones using the roads the Town would not have a traffic problem, but when you have 130,000 cars passing through Town every day, everyone should be contributing. She stated that most of the complaints she received stated that they wouldn't eat at our restaurants or participate in this or that, and they may not, but most people probably eat sometime at Harbison while at the mall where Richland County already has a Hospitality Tax. Mayor Pro-Tem Livingston stated that she does not have a choice but to be proactive and fix the roads and do what Council can do. She added that she has full confidence in Town Staff, the Town's Traffic Engineer, the Traffic Committee that has Traffic Engineers involved in giving Council direction and the best solutions for traffic problems. She stated that the Town would hire the best of the best to do the right projects. She added that one reason why traffic has not been improved and one reason there has never been a by-pass is because someone always has a better solution and knows better than the traffic experts. She stated that we have to trust the traffic experts because they went to school for that, much like going to a doctor or surgeon, you have to trust them and that's what has to happen now. She believed that as hard as this tax is to pass and as hard as it is for some of them to swallow, it is important to the Town citizens to not put a property tax burden on them. She agreed with Councilmember Carnes that there will not be any other money available anytime soon. She stated that even though they have put this proposal in place, it can be repealed if money becomes available from the State. She added her family's safety, and the condition of the roads, is more important than the small amount it will cost her as an individual.

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Mayor MacDougall called for additional comments from Council related to the motion. Councilmember Stambolitis stated that a gentleman in the audience wished to speak. Mayor MacDougall deferred to Councilmember Williams.

Councilmember Williams stated that this is just the First Reading of an Ordinance to adopt the Hospitality Tax and there would be another educational session next week followed by a Final Reading on September 8th. He added that from day one he walked neighborhoods, visited people that voted for him, and he has received many emails. He encouraged citizens to continue to contact him until the final vote. Councilmember Williams stated that he has kept a semi-list of the folks he had talked to and how they feel about the tax. He estimated that 80% of the people on his list are for the tax. He added that they are not happy about it but they understand the need for the tax to fix the roads. He stated that based on responses he received; there were 80% for the tax and 20% against it. He thanked everyone for attending the meeting tonight and he looked forward to hearing from the Town citizens.

Mayor MacDougall called for additional comments from Council related to the motion. Councilmember Carnes requested that the Mayor review the three projects. Mayor MacDougall outlined the three projects as follows: (1) Downtown Improvements – Mayor MacDougall stated that the Town would not do one-way pairs, talked about earlier tonight, but would do a perpendicular one-way pair at Highway 6 and Church Street. He stated that the initial run on this change produces a 47% increase in green light time on Main Street. He added that it is a small project that can be started very soon. Mayor MacDougall stated that the project has a second leg which includes improvements where Harmon Street comes out to Main Street in order to get people off Main Street and in a turn lane so that traffic can continue to flow and not bottleneck Main Street. (2) Crossroad Improvements: A roundabout in front of the Lexington Middle School. Mayor MacDougall stated that this is a 45,000 car a day roundabout that will handle the traffic flow in that area. He added that it also includes a realignment of Dreher Street which will come out toward the bottom of Azalea Street which will eliminate a traffic light in the Town's system. He stated that the roundabout will increase traffic flow in the area because there will be two dedicated lanes so if you don't want to turn left, you would stay in the right lanes and not have to stop at that intersection. (3) Corley Mill Road and Highway 378: Mayor MacDougall stated that the Town will take advantage of what the State did to improve two intersections that will lead to two left turn lanes at all four intersections in that area. He added that along with the County and Lexington School District One, traffic flow improvements will be made through that area.

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Mayor MacDougall stated that he has listened to all the comments from everyone. He stated that we owe it to the 21,000 citizens that live here and to the 3,400 business license holders in Lexington to flow traffic better and improve their businesses. He added that they sunk their hard earned money into their businesses in this Town and we owe them a chance to prosper and to make it easier to get customers into their business. Mayor MacDougall stated that it is ludicrous to say that Council has not looked for other funding, because they have met with Federal, State and local county leaders and the answer from all three was “no money”. He added that he would not sit here and allow this problem to exacerbate. He stated that they are going to do something to improve traffic flow in this Town because we are going to continue to grow. Mayor MacDougall stated that we have grown 80% in the last ten years and we are expected to grow another 80% in the next ten years. He added that we cannot sit and do nothing – we will do something.

Mayor MacDougall called for additional comments from Council related to the motion.

Councilmember Maness stated that eleven years ago when she ran for Council, she ran against the Hospitality Tax because the Council that was here then pushed it down the throats of the citizens. She added that they did not have a plan and it was just the way it was going to be and they would not listen to anyone. Councilmember Maness stated that this Council is listening. She stated that for the past eleven years everywhere she goes or out to a restaurant she hears: “What are you going to do about this traffic?” “Aren’t you on Channel 2 – when are you going to do something about this traffic?” She stated that now they have an opportunity to do something about the traffic. Councilmember Maness stated that we cannot depend on the Federal government or the State government. She added that the State government cannot make decisions and she is at the General Assembly a lot and sees all the fussing going on and they are not going to do anything to take care of the citizens in Lexington. She stated that if the Town should receive Federal money, they will do just like they did ten years ago and take the tax off the books. Councilmember Maness stated that they have to do something now to take care of the roads because they are not safe and she has to vote to make it safe for the citizens; therefore, that will be her vote tonight.

Mayor MacDougall called for additional comments from Council related to the motion. Councilmember Stambolitis stated that he had some rebuttals. Mayor MacDougall deferred to Councilmember Stambolitis.

Councilmember Stambolitis stated that there is no question that this Council wants what is best for the community, especially concerning

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traffic. He added that he applauds and admires Council for wanting to do the right thing and fix the roads, but it is not a matter of whether we want to do the right thing, it's about how, where, and how to pay for it. He stated that they are rushing this thing head long without discussing any other alternatives and without other proposals from independent engineers and no traffic impact study to determine if it is the best proposal. He added that Main Street has not even been addressed and it is our worst road when there is such congestion that emergency vehicles cannot travel through downtown Lexington in an efficient manner. Councilmember Stambolitis stated that there are so many ideas that have been discussed and he did not understand the rush. He added that he would like for Council to take their time, look at the proposals, and pan out the best proposal – not just the first proposal. He further recommended that a traffic impact study also be completed. He asked the Mayor and Council, with all due respect, to slow down, talk about it and discuss the best ideas and then make a decision.

Mayor MacDougall called for additional comments from Council related to the motion.

Councilmember Shevchik stated that he would like to say a few words related to Councilmember Stambolitis' comments. He stated that some people may not know, but Council had spent the last four to five years working on this traffic plan and specifically the last 90 days addressing every single concern that Councilmember Stambolitis has brought before you. He added that you could see the other Councilmembers nodding their heads in agreement because they had sat down and looked at the projects. He stated that they have sliced and diced them, jumped through hoops, and had certain meetings where Councilmember Stambolitis said he was on board with these projects. Councilmember Stambolitis interjected that was an incorrect comment. Mayor MacDougall reminded Councilmember Stambolitis that Councilmember Shevchik has the floor. Councilmember Shevchik stated that Councilmember Stambolitis furnished Council with a list, much like the list that was given to the media, which Staff and Council addressed, line by line, and now they are being brought up again like they have never been addressed which is unfortunate. He stated that Council has done their due diligence and it is not easy for any Councilmember to pass an additional tax, but there is no funding for these roads. Councilmember Shevchik stated that the Town is taking on the ownership of these road projects and they are not the Town's responsibility, but someone has to do something and that is why the Town Council is taking action. He added that is why they were elected, to be leaders and to step to the forefront. Councilmember Shevchik stated that in the old days there were called Statesmen. He concluded by stating that they had acted professionally and tried to address everyone's concerns. Councilmember Shevchik stated that he

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had enjoyed working on this process and he thanked everyone for being in attendance.

Mayor MacDougall called for additional comments from Council related to the motion. Councilmember Stambolitis stated that he had several rebuttals to Councilmember Shevchik's comments. Mayor MacDougall deferred to Councilmember Stambolitis.

Councilmember Stambolitis stated that he was in those meetings and he disagreed with a lot of the proposals and he still disagrees with them. He added that to say he had agreed initially is incorrect. He stated that he made several proposals addressing Main Street and they were never discussed and taken off the table all together. He added that the discussion was there, but there was not total agreement, and there is still not total agreement.

Mayor MacDougall called for additional comments from Council related to the motion. Councilmember Carnes wished to make additional statements about the projects. Mayor MacDougall deferred to Councilmember Carnes.

Councilmember Carnes stated that if he was not mistaken, the first project is a \$3 million project and the entire focus is on the traffic flow efficiency of Main Street. He added that maybe he misunderstood Councilmember Stambolitis when he said they were not addressing Main Street when they have a \$3 million project focused on traffic flow of Main Street. He stated that it is not about the perpendicular one-way pairs, because they are there to increase green light time on Main Street by almost 50%, therefore, a total of 33% of what they are proposing is focused on Main Street. He confirmed the numbers with the Town Administrator.

Mayor MacDougall called for additional comments from Council related to the motion. Mayor Pro-Tem Livingston wished to make an additional statement. Mayor MacDougall deferred to Mayor Pro-Tem Livingston.

Mayor Pro-Tem Livingston commented that Councilmember Stambolitis stated that they had not obtained an independent traffic engineer; however, on April 20th Council requested an independent traffic engineer to evaluate the eligible traffic projects and Staff was requested to develop a list of the projects. She added that on May 12th Tony Sheppard, former SCDOT Traffic Engineer Director, submitted a ranking of projects including the one-way pair proposal. Mayor Pro-Tem Livingston stated that Councilmember Stambolitis' statement was false because an independent traffic engineer had looked at the projects. She stated that Councilmember Stambolitis was involved in that timeline.

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Councilmember Stambolitis interjected that Mr. Sheppard, a retired engineer, ranked the projects. He asked if Mr. Sheppard had studied them, engineered them, or did traffic studies. Mayor MacDougall called Councilmember Stambolitis to order and stated that this was not a debate. Councilmember Stambolitis responded that it was a democracy. Mayor MacDougall agreed and stated that Councilmember Stambolitis had his turn three times. Councilmember Stambolitis responded that he would have his turn a 1,000 times if needed.

Mayor MacDougall called for additional comments from Council related to the motion and hearing none he called for a vote on a motion made by Councilmember Carnes and seconded by Councilmember Shevchik to *approve the amended wording and First Reading of an Ordinance to adopt a 2% Local Hospitality Tax to begin October 1, 2015 for a term of eight (8) years set to expire December 31, 2023 to pay for three (3) projects presented to the public that fall under #4 of S.C. Code Section 6-1-730 (Highways, roads, streets, and bridges providing access to tourist destinations) and to define the projects in the Final Reading Resolution with funding designated for only the three projects set to expire once those projects are paid for.* The motion carried with a vote of six (6) in favor and one (1) opposed (Stambolitis).

ANNOUNCEMENTS

Councilmember Williams made the following announcements: (1) He wished a Happy belated Birthday to Mayor MacDougall and Town Administrator Poole. (2) He encouraged everyone to drive safe since today was the first day of school for Lexington District One. On behalf of the Mayor and Council, he wished all the students and teachers a great school year. He also thanked the Lexington Police Department for helping with traffic at the schools this morning. (3) As mentioned in the Mayor's Vision Plan report, the Town's Farmers Market is open at Lexington Square every Saturday from 9:00 to 12:00 through September 26th. (4) There will not be a Traffic Committee or Planning Commission meeting in August. (5) He encouraged all Town citizens to come to the next Traffic and Tourism Initiative meeting to discuss road projects and funding. The meeting will be Monday night, August 24th at 6:00 p.m. in the Conference Center. (6) He invited everyone to come out to the Groundbreaking Ceremony for the Ice House Project Amphitheater at 10:30 a.m. on Tuesday, September 1st. He added that this is a very exciting project for the Town and should improve downtown and help bring people downtown for some fun. (7) Council will resume their regular schedule in September. Since the first Monday is a Town Holiday – the regular Council meeting will be held on Tuesday, September 8th and the Council Work Session will be held on September 21st. Councilmember Williams thanked everyone for watching and wished them a good evening.

NEWS MEDIA QUESTIONS: None.

PUBLIC COMMENTS

Mayor MacDougall called for public comments regarding agenda items.

1. **Mr. David Longstreet**, 115 Cumberland Drive, stated that he was in Mexico last week transferring the business that he works for in Blythewood because, unfortunately they are losing the business partially due to roads that Blythewood Council did not choose to improve. Mr. Longstreet thanked the Mayor and Council and told Mayor Pro-Tem Livingston that it was amazing that she survived the first tax which was tabled in 2006. He stated that he ran for Town Council and, unfortunately if you don't win you still open yourself up for comments and questions. He added that they are probably wondering how they are perceived in public and he did not want to see anything ill come to the Council, because they are doing a good job and it is a difficult decision with capital projects. Mr. Longstreet addressed Councilmember Shevchik, who he referred to as a sports fan, and stated that this is stepping up to the big league. He added that Councilmember Shevchik had stated that the Town is taking on responsibility for roads that someone else should be taking care of in some respects. Mr. Longstreet stated that people around his neighborhood and Highway 6 are telling him that the proposed tax is pitting some of the business owners against each other because some do not deal with food. He referenced an article in The State by Tim Flach, July 20th, which referred to "traffic circles" and it should be roundabouts, and as an engineer he thought it should be corrected for the public. Mayor MacDougall asked Mr. Flach if he would correct it next time. Mr. Longstreet stated that a lot of improvement could be made by traffic circles, but since he was only bringing information tonight he would not say negative or positive because he was going by the information he received from Town residents. He stated that he could personally speak for safety issues regarding roads since his daughter, Emma, was killed at a T-intersection. He added that is the purpose of circles, so there is some invaluable benefit for safety and some people will understand it and some will hate traffic roundabouts. He stated that it would take a generation of people to learn how to drive through them, but there is a benefit. Mr. Longstreet asked if the Traffic Committee meeting minutes had been suspended because the last minutes posted were from April 21, 2015. He offered to submit a copy of the Town's web page for the minutes. He asked if the recent Traffic minutes were available because the projects were not discussed through April and it made people think that Council was railroading the tax through. Mr. Longstreet stated that in Saluda County they received \$8 million dollars from the State Revenue's \$216 million surplus budget, of which he thought Council was probably aware of but did not mention. He proposed that Council, since he learned by going through an election they only represent 15 to 20% of the total population of the city, reduce the term to December 31, 2020 and the tax to 1% which is at a time when a U.S. Census will be done. He compared it to his home of Bowling Green, Kentucky, population 50,000, when they received greater funds for projects at a city level following a

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Census. He stated that Council should go after the first project and see that it can be accomplished and then look further for the next projects.

Mayor MacDougall thanked Mr. Longstreet and called for additional public comments regarding agenda items.

Mr. Rich Bolen, 1309 Old Cherokee Road, stated that he does not live in the city, but he spends a lot of money in the city. He stated that as a matter of principle he is against increasing taxes. He added that he already gives the government 50% of his income and you keep asking for more and then he has to live on the other 50%. Mr. Bolen stated that if he spends more he has to live on less, but if they spend more they just take more from him and everyone else. He understood Councilmember Carnes stated that the only choice is to raise taxes or not do it, but that's a false choice like Obama said the only thing to do is the Iran deal or die in a nuclear war. Mayor MacDougall asked Mr. Bolen to please not compare them to Obama. Mr. Bolen apologized for being a little over the top, but he added that the false choice is still there. Mr. Bolen stated it is shocking that we are willing to lead by doing someone else's work even though he appreciated the idea of doing something unpopular because it is right, but to do the work for the State because they are incompetent, more interested in Charleston, or whatever the reason, it does not seem like an appropriate use of your authority or resources. He added that they are never going to reimburse us even if we do it, or put the money in a bank account to pay the citizens back who have already paid for it twice, should they come up with \$30 million dollars. He further disagreed with being in a hurry and as Councilmember Stambolitis stated, he thought we should wait until the traffic signalization which will have an impact and we do not know what that will be. Mr. Bolen stated that there is a possibility to get money from other sources, even though Council stated that had exhausted all the resources and the only thing left to do is raise the taxes on the citizens. He added that he found that hard to believe since politicians are fickle and next year the elections are coming back around so be generous with Lexington citizens' money. He stated that the recent referendum was 70% to 30% against the 1% tax and you are proposing to double it and saying that you don't care what citizens said six months ago, you are doing it, it's none of your business, just pay it and be happy. Mr. Bolen stated that Council is being short sighted by ignoring the referendum and he asked that Council reconsider.

Mayor MacDougall thanked Mr. Bolen and called for additional public comments regarding agenda items. Councilmember Carnes requested to respond to Mr. Bolen. Mayor MacDougall deferred to Councilmember Carnes.

Councilmember Carnes stated that he appreciated Mr. Bolen's comments. He added that he had been accused of putting out a false dichotomy to do the tax or do nothing. He added that multiple people have said that is false and they think there is another way. Councilmember Carnes stated that he would be the first to say if they could find another way to begin work on these three projects and have

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a secure source of funding for about \$15 million, this Council would be the first to jump on it. Councilmember Carnes encouraged citizens, politicians or anyone with information that would lead them that way, by all means contact them. He stated that the easy thing would be to sit on Council and do nothing and be passive, but this is hard thing and everyone on Council would rather not do. He stated that generalized, there must be another way; however, they have exhausted those efforts. Councilmember Carnes stated that in relation to the County's referendum, it is a false dichotomy to talk about the 1% sales tax that is on everything you buy, versus the 2% Hospitality Tax which is just on prepared foods and covers people in the Town and outside Town. He added that prepared foods might be 5% of people's budget, up to 15% if they eat out a lot, but the 1% sales tax is on 100% of all items, so they are not equivalent. He stated that they did hear from their constituents regarding the County's referendum which was overwhelming defeated; however, if you talked to people about why they would tell you that they did not like the projects that were not transportation oriented, they had problems with the process, etc. Councilmember Carnes stated that what they heard and what emboldened them to move forward, was the fact that people told them if their money was guaranteed to just go to transportation that would be something they would believe in and something they could pursue. He stated that when this opportunity came after starting this process in January, it seemed like what people were asking for. He added that he appreciated the fact that it is hard to pass a tax, but the easy thing to do is nothing and the hard thing to do is to try and make progress in the midst of political quagmire that will hopefully clear up in the days to come at a State and Federal level.

Mayor MacDougall thanked Councilmember Carnes and called for additional public comments regarding agenda items.

Mr. Charles Speight, 229 Stoneridge Dr., stated that he and his friend Mr. Bolen had this conversation last Wednesday and he encouraged everyone to come out to the Dawn Busters breakfast every Wednesday morning at 7:00 a.m. at Lizard's Thicket on Augusta Highway. He took exception to his friends Mr. Bolen and Mr. Black, who has not spoken, because they are not residents. He added that he knew their opinion on the proposed SC gasoline tax and he felt sure that these gentlemen would not be willing to hear from someone from North Carolina, Georgia or Maryland telling South Carolina what to do with their taxes even though they may buy gas in South Carolina, but since they are not South Carolina residents they do not have a voice. He addressed Mr. Bolen and told him he did not have a voice on the Hospitality Tax because he is not a resident. Mr. Speight thanked Councilmember Stambolitis for speaking in his defense as a retiree with a fixed income, but he drives the roads more often than he eats in restaurants including Councilmember Stambolitis' restaurant. He did not understand how is it that a private citizen knows more about the process than a Councilmember or an attorney or some of the others who are so vocal about the tax. He stated that he had done his research and talked to some Councilmembers and Mr. Poole and the fact is there is no other revenue stream available. He

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asked if they wanted to wait for the South Carolina Legislators to give them funds. He commented that they knew better than that and it would not happen. Mr. Speight stated that we want things, but we do not want to pay for them which is the welfare state we have become. He added that he did not approve of that nor did he approve of the citizens having to foot the bill for six times as many vehicles going through the Town than there are residents. Mr. Speight stated that the tax has to be done, we see that; we know what the process is; we know what the revenue streams are; and, we know that there is no future in waiting for the County, State, or Federal governments. He added that he sincerely did not understand the opposition except that "tax" is a four letter word. Mr. Speight appreciated what the Mayor and Council were trying to do, to do this equitably, thoughtfully by giving the hearings, and making all the information available and he wanted them to know that not everybody is against it.

Mayor MacDougall thanked Mr. Speight and called for additional public comments regarding agenda items.

Mr. Mark Langford, Sonic Drive-In on Columbia Avenue, stated that he wanted to make it known that what Council has described is a pass-through tax, which is a term he had previously heard related to this type of tax, and that this tax does not really hurt anyone and it is shared equally. He stated that it is not shared equally because some people are in the business of selling the product that is being taxed. He stated that it could be noted from history that anything that is taxed has a lower consumption. He asked why Sin tax worked and why it was implemented; or if they thought cigarette tax would stop people from smoking or just because the government wanted the money. He added that they do want the money, but they claim they want people to stop smoking. He stated that if it didn't have a deterrent on smoking, why would they claim that. He added that they know it has a deterrent on eating when you add more money to that, particularly in a small defined area like we are talking about. Mr. Langford stated that people can escape this tax very easily because people are not going to drive to Harbison to save a couple of pennies. He added the fact is, their sales will go down. He stated that it may seem that people in the restaurant business are busy and are a bunch of millionaires. He added that they are not a bunch of millionaires, they work hard, they work on a small margin; and, at the end of the month they hoped to have enough sales to overcome the fixed costs. Mr. Langford stated that if you take 2% to 3% off the top end sales of an operating restaurant then you are at break even and you will not make any money. He added that to sit here and claim that this is being equally divvied out is crazy and untrue. He stated that they will punish one specific business because the State law allows you to and it hides the fact that you wouldn't have the courage to tax drugs or groceries. He added that would be beside the fact that the law wouldn't allow them to tax other things and they wouldn't anyway because they wouldn't win elections. Mr. Langford stated that not many people here (in the meeting) own restaurants and they may pay a little more and not care that much and it

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probably wouldn't cost any Councilmember their job. He stated that the hard work, as Statesmen, is hard work especially when they say there is no revenue stream, yet there is 16 ½ cents out of every gallon of gas sold in this Town that is a revenue stream and it is going to the State. He added that they have all begged for our money back and we shouldn't have to beg them for our money back, we should stop sending it to them. He encouraged the Councilmembers to be Statesmen and make a stand by saying "no – it's wrong" because it's our money. Mr. Langford stated that he is an aware adult and he understands the position that it will be a whatever-to-one vote, even though it is the First Reading, it might as well be the last. He added that it is obvious how the vote will go, he is passionate about it, he did not think he would make a difference in the outcome, but he wanted to let them know another side of the story.

Mayor MacDougall thanked Mr. Langford. He added that he used to be in the restaurant business for 23 years and owned a restaurant. He added that he was in Columbia when they instituted the Hospitality Tax, and he was not for it at first either; however, he got involved and found out what the City of Columbia was going to do. He stated that under no uncertain terms, his business increased because of what they did with the money that was raised. He promised that he had an increase in the business in Columbia, so he encouraged the businesses to hang in there because they wanted to make it so people would flow through this Town and get to their businesses, in and out, quicker than before.

Councilmember Williams requested that Mr. Langford state his residential address. He understood that he was from Sonic on Columbia Avenue. Mr. Langford stated that his home address is 112 Wintergreen Court, Lexington.

Mayor MacDougall called for additional public comments regarding agenda items.

Mr. Michael Weaver, 927 Battenkill Court, Lexington, which he stated was not in the Town limits, but maybe one day he would live in Town. He stated that he wrote a letter to Council dated July 30, 2015 where he expressed some of his concerns, but he would not get into the minutiae of the letter. He addressed Mayor Pro-Tem Livingston and stated that he was guilty of being one of those people who think they may know more than the traffic engineers; however, he does drive down Corley Mill Road every day which is heavily traveled. He added that his wife took their two sons to Meadow Glen School today and the round trip took one hour. Mr. Weaver stated that his friend lives in Wellesley and it took him 22 minutes to get to Highway 378. He appreciated all their efforts and their candor tonight and understands the reason for it. He stated that after he wrote the letter on July 30th, he read the South Carolina Code, Section 6-1-730, which Councilmember Carnes read to the public tonight. Mr. Weaver stated that provision of the statute states that you want to spend the money for roads or bridges or streets, but it has to be something that provides access to tourist attractions. He then began to think about his commute on Corley Mill

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Road and struggled to figure out which tourist attraction he was coming from or going to. He did not know how \$6 million, half of the proposed budget, could help. He did not expect an answer tonight, and he knew they had been given legal advice on it, but as a citizen of Lexington, he saw that as a hurdle. He stated that if anyone cared to comment on it, he would love to hear it.

Mayor MacDougall thanked Mr. Weaver and asked Council if anyone would like to respond.

Councilmember Carnes stated that they have consulted with their Town Attorney who could also speak regarding the Code. Councilmember Carnes stated that the law was changed in recent years, within the last decade, and it was expanded to what he read tonight. He added that it was widely defined and they have discussed whether the projects they have proposed are within the scope of what the law intends and allows for and the Town Attorney has assured them that they are within that scope. He stated that as part of the projects, wayfinding signs will be included and signage directing people to Lake Murray, coming off I-20, which is a chaotic intersection, as one example. Councilmember Carnes stated that the Code is intentionally defined very broadly and everything they are doing is within that scope. Town Attorney Cunningham stated that he had no further comments to add.

Mayor MacDougall confirmed that Mr. Weaver did not have any additional questions. He wished to add that another example was recently in a magazine that the Saluda River, from the Lake Murray Dam to the Riverbanks Zoo is one of the finest trout fishing spots in the nation. He added that there is a boat ramp off Corley Mill Road which accesses that part of the river. Mayor MacDougall added that Lexington has tourist attractions, but not like Mr. Weaver was thinking as compared to Myrtle Beach or Charleston. Mr. Weaver thanked the Mayor for the information and added that he has been told there are trout in the Saluda River, he just can't catch them. He added that in looking at the Town limits, while Saluda River and Lake Murray may be tourist attractions, they are not in the Town limits.

Councilmember Carnes wished to make an additional comment. He stated that, along those lines, Council did start off with a significant number of projects. He added that Council would have liked to accomplish some of those projects, but they did not fit within the legal scope of what the law allows. He stated that they were not eliminated because they were not useful or efficient, but because they did not fit the scope.

Mayor MacDougall called for additional public comments regarding agenda items.

Mr. David Longstreet wished to make an additional comment. He stated that it is how you look in the public's eye in the next couple weeks. He suggested that

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they go back to Lexington County and ask them for match money for the first year if we are willing to make a compromise and if Council is thinking about a different number than what they came to the meeting proposing. He added that it would show them that Council is serious about doing things that need to be done. Mr. Longstreet stated that the decision is probably already made, but Council has still left some money behind and they could still get some from people that owe money, so please keep trying.

Mayor MacDougall thanked Mr. Longstreet and told him that he thought he would be pleasantly surprised in the future. Mayor MacDougall called for additional public comments regarding agenda items.

Mr. Bob Brockwell, 101 Haynesworth Place and managing partner of Sonic for 23 years, stated that he was here for the first Hospitality Tax. He added that chain restaurants are different because if his customers pay 2% more for their diet coke in the morning, then they will go to the Sonic in Columbia to buy it, because, like Council said, there are a lot of people that commute to Columbia each day. He confirmed that Mayor MacDougall was not with a chain restaurant and that makes it different. Mr. Brockwell agreed that 2% is a small amount, but his average check is \$5.45, so that is a big amount for his customers. He requested that they consider that when you look at the tax. He added that Councilmember Stambolitis' place is a destination point, but as a chain restaurant it will hurt them because people will go outside town limits to make their purchase. He added that it happened that way once and it will happen again. He did not understand why the restaurant people have to pay for everything when everyone should share in the burden.

Mayor MacDougall called for additional public comments regarding agenda items. Councilmember Stambolitis stated that he had several rebuttals. Mayor MacDougall deferred to Councilmember Stambolitis.

Councilmember Stambolitis asked who came up with the engineering plans for this program because he never heard the offer of the plan. Mayor MacDougall responded that it was the Town's Traffic Engineer, the Town Administrator, as well as outside engineers. Councilmember Stambolitis wanted to know who came up with this particular proposal. Mayor MacDougall responded that we did, out of the 15 projects that were sent to the SCDOT engineer and asked him to look at all 15 projects and tell us which projects would provide the most improvement and these are the three projects that he sent back to us. Councilmember Stambolitis asked who proposed the initial 15 projects. Mayor MacDougall responded that they were Staff generated. Town Administrator Poole clarified that Staff, the Traffic Committee over the years, SCDOT Planning Staff, and amalgam of different sources that looked at different projects in different locations over the years. Councilmember Stambolitis asked who engineered this particular proposal. Town Administrator Poole responded that originally Mr. Dipak Patel, SCDOT's Planning Engineer at that time and

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currently SCDOT Technical Application Director, was involved in all three projects. Councilmember Stambolitis stated that the proposal that Dipak showed him did not have traffic circles initially. Town Administrator Poole stated that one had traffic circles and one did not. Councilmember Stambolitis stated that the one that Dipak showed him had seven different phases and none of them had traffic circles, especially the one in front of the Middle School and certainly not one on Corley Mill Road. Mayor MacDougall and Town Administrator Poole responded that there was a traffic circle on Dipak's proposal. Councilmember Stambolitis requested a copy of it because he did not remember seeing it. He asked who came up with the engineering idea at the Middle School and if it was not Dipak, whose idea was it. Town Administrator Poole responded that the plan was a combination of the Town's Traffic Engineer, Randy Edwards, and Susan Ruinen, Chair of the Town's Traffic Committee. Councilmember Stambolitis asked why a representative from the Traffic Committee was not present to speak to this issue. Mayor Pro-Tem Livingston stated that this was not a Public Hearing. Councilmember Stambolitis responded that it was a Public Hearing and they should be here. He asked if the Town's Traffic Engineer could speak to this issue. Mayor MacDougall confirmed that this was not a Public Hearing and that Councilmember Stambolitis wanted Mr. Edwards to speak regarding the roundabout at the Lexington Middle School.

Mr. Randy Edwards, Town of Lexington's Traffic Engineer, came forward to address questions. Councilmember Stambolitis asked if Mr. Edwards had presented his proposal to SCDOT or offered it to Mr. Sheppard, the retired SCDOT Engineer. Mr. Edwards responded that SCDOT District One had seen all three projects. Councilmember Stambolitis asked what their response was because he had not seen anything in writing. Mr. Edwards stated that SCDOT's initial look was that all three projects were very needed and would make a great benefit to the Town. He stated that the response was a meeting he held with SCDOT of which he was not certain of the exact date. Councilmember Stambolitis asked if there were minutes or notes or discussion regarding the results of the meeting. Mr. Edwards stated that the meeting was held in confidence pending if Council was going to release the information. Councilmember Stambolitis wished to confirm that SCDOT said that this is the best proposal to alleviate traffic in the Town. Mr. Edwards responded that SCDOT stated that they were in agreement with the projects being valid to improve Town traffic. Councilmember Stambolitis asked if they said this was the best proposal with the greatest impact to improve traffic in the Town of Lexington. Mayor MacDougall interjected that Councilmember Stambolitis was badgering the witness. Councilmember Stambolitis responded that Mr. Edwards did not answer the initial question, "your Honor". Mr. Edwards responded that SCDOT did not come out and say they were "the best absolute projects", but they were excited for the Town of Lexington to actually address some of the issues that we deal with every day, because they know the issues we deal with and they know that they do not have the funding to do so. Councilmember Stambolitis stated that he was sure that the Traffic Committee and SCDOT have

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several ideas and he wanted to know if this was the only proposal that was brought to SCDOT. Mr. Edwards responded that SCDOT had numerous project proposals throughout the years; it is just a matter of funding and getting the best bang for your buck as to how the traffic will continue to flow. Councilmember Stambolitis stated that on the initial Traffic Committee recommendation, which Mayor Pro-Tem Livingston agreed upon, was the implementations of that traffic proposal being implemented word for word, letter for letter, for Phase I, II, III, IV, V, and VI. Mayor Pro-Tem Livingston responded that some of those projects did not meet the qualifications of the Hospitality Tax, which was previously mentioned. She added that there were other projects that could be done, but they did not meet the qualifications of going to a tourist destination. Councilmember Stambolitis stated that he was addressing Mr. Edwards. Mayor Pro-Tem Livingston responded that he had pointed to her so she answered. Mr. Edwards stated that, as an example, the Mineral Springs/Hope Ferry project was actually ranked the number one project on the County's Penny for Progress proposal; however, it is not in this package because it does not qualify for the use of the H-Tax funds. He added that it is still a very important and viable project and stands the chance of seeing some benefits from the Adaptive Implementation. Councilmember Stambolitis asked if Phase II, proposed by the Traffic Committee and Chaired by Mayor Pro-Tem Livingston, which was in the same vicinity as the roundabout, was it recommended in the original Traffic Committee report. Mayor Pro-Tem Livingston stated that it was one of the options and there were two different presentations by Mr. Patel. Councilmember Stambolitis stated that, with all due respect, he was addressing Mr. Edwards. Mayor Pro-Tem Livingston responded that she thought he referred the question to her. Mr. Edwards stated that the Vision Plan predated his employment with the Town. Councilmember Stambolitis asked Mr. Edwards if he was on the Traffic Committee. Mr. Edwards responded that he was not, not at the time the Vision Plan was vetted. Mayor Pro-Tem Livingston clarified that Councilmember Stambolitis was referring to the Traffic Plan, not the Vision Plan. Councilmember Stambolitis asked if the Traffic Plan proposal had a traffic circle included in it. Mr. Edwards responded that he was not on the Traffic Committee at the time that the proposal was submitted for approval. Councilmember Stambolitis asked Mr. Edwards if he had reviewed the Traffic Plan. Mr. Edwards responded yes. Councilmember Stambolitis asked why we were not implementing the Traffic Committee's original plan in this particular proposal. Mayor MacDougall responded that some of the projects did not qualify for this funding. Mr. Edwards agreed that the Dreher Street project alone does not qualify. Councilmember Stambolitis asked if Dreher Street did not qualify, but the traffic circle does qualify, which is the same intersection. Mr. Edwards stated that the crossroads intersection is a 45,000 cars per day intersection and Dreher Street has 7,000 cars per day. Councilmember Stambolitis stated that the same intersection that was proposed, the Dreher Street intersection on Phase II, has been changed and now includes a traffic circle. He asked why the Traffic Committee did not make or agree with this proposal and why do we not have a representative here to speak to this issue. Mr. Edwards

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stated that he could not speak for Susan Ruinen, but she has been in discussion with him for several years regarding the usefulness of a traffic circle at that location. Councilmember Stambolitis asked what Ms. Ruinen's comments were about the traffic circle. Mr. Edwards responded that Ms. Ruinen had commented that a traffic circle here would be very effective and a proper place for one. Mayor MacDougall stated that they could not speak for Ms. Ruinen. Councilmember Maness stated that Ms. Ruinen did say that at the Traffic Committee meeting when this was discussed and she was very much in favor of the traffic circle. Councilmember Stambolitis stated that he would like to have that statement from Ms. Ruinen because she is an engineer. Councilmember Stambolitis stated that he had more comments because there were still a lot of unanswered questions.

Mayor MacDougall called for additional public comments regarding agenda items.

Mr. Donald Hendrix, 111 Nightingale Court, which he stated was outside the Town limits, but was surrounded by the Town. He added that he has lived in Lexington for 56 ½ years and he wished to make a couple comments, which were all personal. He stated that he lives on a budget and has \$200 a week that he spends on groceries and he will not increase it, so he will quit at \$100. Mr. Hendrix stated that Councilmember Stambolitis probably knows that when he goes in his restaurant, he has a coupon, so 2% or 3% does matter. He stated that he thought he heard them say that 20% of the people are against the tax, and if so, is it possible for there to be a voter referendum? Mayor MacDougall clarified that Councilmember Williams reported that 20% of the people that he spoke to were against the tax. Mr. Hendrix stated with all the growth, didn't that increase revenue? Mr. Hendrix stated that he wanted Council to be very careful with what they did with the money, because what they did with it last time was very good. He did remember the project on Main Street, which still causes a mess and the street goes "bumpity-bump-bump" all the way in.

Mayor MacDougall thanked Mr. Hendrix and called for any additional public comments regarding agenda items.

Mr. Rich Bolen requested to speak again. He asked if he understood that all three projects would be done at the same time. Mayor MacDougall stated yes, and they would start with Main Street, which is almost shovel ready, with some engineering work to be done. He added that the other two projects would begin as soon as bonding is complete. Town Administrator Poole stated that was correct and he wished to further expand on the plans explaining that Dreher Street would be the first part of that particular project. He added that even though they would begin at the same time, there would be construction started on the one-way pairs at Main Street and then later you would see construction at Dreher Street and building the roundabouts because that part of the project would require more engineering work. He stated that there would not be construction at

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three places at one time, even though they start at the same time in that the one-way pairs have an 18 month construction to completion and the roundabouts have a 23 month construction to completion and will be done in phases. He added that all the work would be done at night. Mr. Bolen confirmed that there would not be three huge projects going on at three major intersections. Mayor MacDougall promised that there would not be three projects at three intersections at one time. He compared it to the project at Columbia Avenue where three intersections were widened and it was all done at night. He added that it is a concern of theirs as well.

Mayor MacDougall thanked Mr. Bolen and called for any additional public comments regarding agenda items.

Mr. David Longstreet requested to speak again. He wanted the record to reflect that there would be drawings and diagrams available next week at the public education meeting. Mayor MacDougall responded yes. Mr. Longstreet addressed the engineer and asked if the 85 meter minimum for the roundabout was being used in front of the Middle School. He recommended that 85 meters be used with a 12 meter center piece because a lot of people blow through the intersection and you have to be careful and some of the engineers he talked with brought that up and he wanted to make sure it was brought up next week.

Mayor MacDougall thanked Mr. Longstreet and reminded everyone of next week's second public education session for the Traffic and Tourism Initiative meeting to discuss the road projects and funding. He stated that the meeting will be Monday night, August 24th at 6:00 p.m. in the Conference Center.

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.

There being no further public comments and no objection from Council, Mayor MacDougall called for a motion to adjourn. A motion was made by Councilmember Maness and seconded by Councilmember Shevchik to adjourn the Council meeting. The motion was carried with six (6) in favor and one (1) abstained (Stambolitis).

The Regular Council meeting was adjourned at 8:09 p.m.

Respectfully submitted,

Becky P. Hildebrand, CMC
Municipal Clerk

MINUTES
REGULAR COUNCIL MEETING
August 17, 2015

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.