

MINUTES
Town of Lexington
Executive Session and
REGULAR COUNCIL MEETING
September 8, 2015

Town Council held an Executive Session at 5:00 p.m. followed by the Regular Council meeting at 6:30 p.m. in the Council Chambers on September 8, 2015. The meetings were attended by: Mayor Steve MacDougall, Mayor Pro-Tem Hazel Livingston, Councilmembers Ted Stambolitis, Todd Shevchik, Todd Carnes, and Ron Williams. Councilmember Maness was absent due to an illness in her family.

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

There were approximately fifty (50) citizens present for the Council meeting and five (5) members from the news media.

INVOCATION, PLEDGE OF ALLEGIANCE AND CALL TO ORDER: Mayor MacDougall welcomed everyone to the meeting and introduced the Council Members. He announced that Councilmember Maness would not be at the meeting tonight because she had an emergency with her son and is at the Children's Hospital ICU. He wished Jonathan a speedy recovery. Pastor Jim Glatz, Saxe Gotha Presbyterian 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 (§30-4-70(a)(1 and 2))

Mayor MacDougall reported that the *Executive Session* was called to order at 5:04 p.m. after a motion was made by Councilmember Williams and seconded by Councilmember Carnes to go into *Executive Session*. The motion was unanimously carried by all those present. Council adjourned from *Executive Session* at 6:22 p.m. after a motion was made by Councilmember Shevchik and seconded by Councilmember Williams. The motion was unanimously carried by all those present. Mayor MacDougall reported that Council met in *Executive Session* to discuss: two legal issues related to the Hospitality Tax and the interaction of Council and Staff; two contractual discussions regarding CCF reservation and purchase and a proposed contract to use Town facilities; and three personnel items including two routine reviews and a discussion regarding staffing of a department. No vote was taken. A motion was made by Councilmember Shevchik and

MINUTES
REGULAR COUNCIL MEETING
September 8, 2015

seconded by Mayor Pro-Tem Livingston to ratify Mayor MacDougall's *Executive Session* report. The motion was unanimously carried by all those present.

DELETIONS ON AGENDA: None.

APPROVAL OF MINUTES: A motion was made by Councilmember Williams and seconded by Councilmember Stambolitis to approve the minutes as submitted for Council's Work Session and Council's Regular Meeting both held on August 17, 2015. The motion was unanimously carried by all those present.

PRESENTATIONS

1. **Proclamation Designating September 17 - 23, 2015 as Constitution Week for Miriam Lovett, Granby NSDAR Vice-Regent – Councilmember Ron Williams:** Councilmember Williams read a Proclamation designating September 17th through the 23rd, 2015 as Constitution Week. Ms. Jean Smith was present to accept the Proclamation and thanked the Mayor and Council.

VISION PLAN UPDATE

Mayor MacDougall gave a brief review of the Town's Vision Plan: (1) The Lexington's Farmers Market will be open for three more Saturdays from 9:00 to 12:00 at Lexington Square which runs through September 26th. The Farmers Market averages 25 vendors each week. (2) The groundbreaking for the Project Ice House Amphitheater was held last week. Construction for the 900 seat facility is scheduled to take nine months, opening in spring 2016.

TRAFFIC UPDATE

Mayor Pro-Tem Livingston gave a traffic update: (1) Phase I of the Adaptive Signal Project is currently under construction with General Contractor German Technical Group. Many of the video detection cameras are being installed. The cameras are only for detecting traffic in a lane and will not be used for traffic enforcement. Over the next several months, there will be intermittent construction activity and associated lane closures associated with the work. (2) With the return of school traffic, please use caution and practice safe driving throughout the Town. (3) The next Traffic Committee meeting will be September 22, 2015 at 8:00 a.m. in the third floor conference room at Town Hall. (4) Citizens were encouraged to call 359-1027 to report any specific traffic problems, unsafe situations, or just a pothole that needs repair.

PUBLIC HEARINGS

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

MINUTES
REGULAR COUNCIL MEETING
September 8, 2015

1. **Final Reading** of an Amendment to the Building Code Ordinance. No comments.
2. **Final Reading** of an Ordinance annexing Lexington County Tax Map #3500-03-161 located in the 4800 block of Sunset Boulevard. No comments.
3. **Final Reading** of an Ordinance to adopt a 2% Local Hospitality Tax. (21 citizens requested to speak regarding the Ordinance.)
 - (1) **Mr. Earl McLeod**, Executive Director of Building Industry Association, and resident at 317 Country Lake Court, Lexington County, stated that on behalf of the Board, many of whom live in and around Lexington, they support the Council's efforts to improve Lexington roads. He added that they realize how limited the options are in terms of funding; therefore, they support the Hospitality Tax increase. He stated it is difficult to do and expensive, but growth will continue to come to the area, and traffic will only continue to get worse. Mr. McLeod stated that this option allows people that live outside the area to help pay for the roads that they travel on. He stated that they applaud Council's leadership and they asked that Council give Final Reading to the Hospitality Tax tonight.
 - (2) **Mr. Howard Blomberg**, 200 Heritage Trail, Lexington, stated that he appreciated the dilemma that Council was facing and he was not opposed to the tax because it is a good time to fix the roads. He asked that they add a provision to track the revenue received from the tax so they could terminate the tax as soon as the financial goal was attained.
 - (3) **Mr. Charles Speight**, 229 Stoneridge, Lexington, stated that he was against the tax until he did his research which is available to any citizen, with no secret letters involved. He stated that he was for solutions. Mr. Speight stated that they had heard from the business community as well as some who were either selectively ignorant or liars. He displayed a petition that was put out by the Lexington County Citizens Watch which was the source of some of the misinformation such as: Council should be guarding the taxpayers' money. Mr. Speight confirmed with the Town Administrator that it had been 28 years since the Town of Lexington had a property tax increase, millage rates were reduced twice, and the Town always had a balanced budget. Mr. Speight stated that was pretty good stewardship of the taxpayer's money. He thought people had it pretty good because he lived in Maryland when they imposed a rain tax. He confirmed that half of the Town's General Fund budget is used for Police. He indicated that one of the LLCW supporters told him he would rather see a reduction in the police force than to pay the tax. Mr. Speight added that the LLCW flyer stated that the tax is the worst thing for our fragile economy. Mr. Speight stated that Lexington has the lowest unemployment rate in the state; the fourth fastest growing municipality in

MINUTES
REGULAR COUNCIL MEETING
September 8, 2015

the state; and the economy here is not so brittle that it cannot accommodate a limited, temporary tax on a specific set of sales. Mr. Speight referenced the LLCW flyer which stated that the higher sales tax would drive business out of town. He again pointed to the business community, who supports the tax, plus the fact that 198 new businesses moved to Lexington in a year. Mr. Speight referenced the LLCW flyer which stated that traffic circles and one way streets are not what Lexington needs. He asked for a show of hands of traffic engineers in the audience. Mayor MacDougall warned Mr. Speight of his time. Mr. Speight requested an extension of his time. Mr. Speight read rule number nine of Councils' Rules of Procedures which states that a Councilmember cannot vote on a question which he/she has a direct personal or pecuniary interest. Mr. Speight questioned why Councilmember Stambolitis was allowed to vote.

- (4) **Mr. Rusty Koivu**, 109 Lori Court, Lexington, opposed the Hospitality Tax for several reasons. He stated that the tax had not been fairly considered in that the County of Lexington is receiving an additional \$4 million based on a letter dated July 9, 2015 and he did not believe it had been discussed with the public in the last 60 days. He stated that he knew that the County Council Chairman was present and he also works for the Town. Mr. Koivu added that he seemed that some of the \$4 million could be given to the county seat. He asked the Town Council to vote no on the tax increase and see what happens over the next year with the \$4 million. He understands there is a traffic issue and he knew that some want to do something, but he recommended that they do the right thing. He asked Town Council to consider what they are asking of the Town citizens, to give more. He added that the citizens are the ones who work hard, maintain their property, and care about the Town, and the community. He stated that he graduated from Lexington High School in 1985 and he loves Lexington and hopes to never leave, but he did not think the 2% tax is the answer for the Town to repair county and state roads.
- (5) **Mr. Johnny Jeffcoat**, Chairman Lexington County Council, 9 Regatta Court, Columbia located in Lexington County, stated that he would like to clear something up that was just discussed. He stated that part of the audience group that was present tonight is not new and they are the same crowd that he sees all the time at the County. He added that if there is anything positive to be done toward progress, the group is there to shoot it down. He stated that a lot of the group is Mormons, not that it has anything to do with it, but they stick together. Mr. Jeffcoat stated that he has a letter that is supposed to be a secret letter which was dated on July 9, 2015 and addressed to him as the Chairman of County Council. He added that the only other people he knew that had received the letter were 178 members of the Legislature. He asked if you could image telling 178

MINUTES
REGULAR COUNCIL MEETING
September 8, 2015

people a secret. He knew that the Lexington County Council members also received a copy, as well as people that subscribed to The State newspaper, which stated the amount as \$8 million, and those that watched television, yet he was keeping it a secret. Mr. Jeffcoat guessed the secret was out and he apologized for breaking confidentiality about the secret letter. He gave a brief summary of the letter which stated that the Legislature had passed Bill H4230 and it resulted in \$216,329,114 in additional, one-time, non-reoccurring funding, of which Lexington's portion is projected at \$8,523,367 and the first part (\$2,777,000) to be sent by the end of August which, as of today, had not been received. He stated that the remaining portion of \$5,745,667 would be received later in the fall. Mr. Jeffcoat stated that Lexington County has over 665 miles of dirt roads and over 500 miles of paved roads which belong to the County. He stated that you could pave one mile with approximately \$500,000, therefore, you could pave 16 to 17 miles out of 665 miles of dirt roads and yet people get excited about receiving \$8 million and what to do with it. He added that this money is to be used on State owned secondary roads for paving, rehabilitation, resurfacing, reconstruction, and bridge replacement and no funds shall be used for any roads, highways, or bridges that are not part of the State owned system. Mr. Jeffcoat stated that the State has 19,000 miles of roads that they are planning to send over to the counties in the State of South Carolina. He was not certain how many of those miles would belong to Lexington County, but we would still only be able to possibly pave 16 to 17 miles. Mr. Jeffcoat stated that he was offended by the lies that are being told and twisting the truth. He stated that he did not mind answering any questions from anyone and he felt he had been very transparent in everything he has done. He added that the crowd behind him, not everyone, but they knew who they were, that it was time to start dealing with the truth and stop bending the truth.

- (6) **Mr. Billy Walker**, 571 Harbor Heights Drive, Lexington County with a law office on Main Street, Lexington, stated that he moved here in 1973 when the Town adopted him and he made a living for himself and his family. He gave a brief description of Lexington in the 70's when there was one restaurant, Highway 378 was two lanes, town hall was in another building and Lexington was a farm town. Mr. Walker stated that he does not live in the Town, but he pays taxes in the Town, which he is happy to do because it is a great place to live. He told the Mayor and Council that they did not get enough credit for all the time they had to spend doing the people's work. He applauded them for looking ahead because you never gain anything by looking in the rear view mirror. He stated that he was not a highway engineer so he did not know if this was the best fix possible. He added that he and Clyde Smith were on the first Lexington Economic Development Committee and they were begging for gas stations and Seven Elevens to come to the Town so they could grow the

MINUTES
REGULAR COUNCIL MEETING
September 8, 2015

tax base and now that has happened. He added that this is one of the most dynamic communities in South Carolina with the best schools, the best houses, lowest unemployment, and the greatest place to live in the State of South Carolina. Mr. Walker addressed those that were opposed to the tax, someone is always for or against something, but reasonable minds can differ, but this dynamic place has to change. He added that his Dad was a Marine in World War II and he was brought up to do the right thing and to not lie, in fact, what his Dad would do to him as a kid would be a felony today. He stated that he has served this community and he will continue to pay his taxes, but the Council has to pass this tax because they have no choice. He added that if you can't get to the businesses, then people will go somewhere else. Mr. Walker stated if someone could not afford to spend \$2 out of \$100 then people can walk away from it because it is a consumption tax – don't eat, don't pay. He asked why should we turn our back on what is becoming a major force in the Midlands. He stated that as the movie said, "build it and they will come", they have already come and it is time to uphold this for Lexington. Mr. Walker stated that the Federal government, the State government or the County Council has not done it and we are out of options. He applauded the Councilmembers for voting for this tax and he did not hold it against anyone that was not for the tax, but he begged them to get the ball rolling and hope that they would receive help from outside the Town.

- (7) **Ms. Judy Ball**, 207 Efird St, Lexington, stated that she was against the tax, but she was for improving the roads. She did not want to pay more when she goes out to eat and all the projects negatively affect her travel and she is the 7th generation to live on property located in the middle of town. She was concerned about relocating part of Harmon Street at Azalea where there is an elementary school with morning and afternoon pick-ups. Ms. Ball stated that nothing could be done with traffic until something could be done where Highway 1 goes from four lanes to two lanes. She stated that there were so many unanswered questions that she did not know if this was the right time to do the 2% tax.
- (8) **Mr. David Hutchens**, 101 Mallard Lakes Court, Lexington, stated that he had lived at his address for 20 years. He stated that people are tired of taxes especially with the political climate and they are tired of politicians just taxing, taxing. He added they have to live in their budget and they've done a good job of that so far. Mr. Hutchens stated that it appears we are spending money on the wrong thing such as buying businesses out for the amphitheater, dog parks, 14 Mile Creek where you can't park, but there is a park there. He read a prepared statement that he was here to oppose the 2% tax and that Lexington County is the most conservative Republican county in the State where citizens twice rejected raising the county sales tax, yet Town Council wants to disregard what citizens want. He asked if that they thought that is what citizens want

MINUTES
REGULAR COUNCIL MEETING
September 8, 2015

them to do. Mr. Hutchens stated that even though the Town had not raised taxes in some time, revenue increased every year because of the growth in the Town. He asked Town Administrator Poole if that was a correct statement to which Mr. Poole responded, yes. Mr. Hutchens stated that it is up to Council how to spend the increased revenue. He stated that the attitude is they are just passing the increase onto non-residents, but it increases it for citizens too and it is a tax increase plain and simple. He added that they could not afford it and we have run away government growth. He asked why not increase gas cost to reach all people that pass through Lexington or tax WalMart. He suggested that Council let the citizens vote on the tax in 14 months. He asked them to prove that they are the leaders that were elected to work for the people, not have people work for the government for misguided use of the funds. He requested that they trust the citizens to vote on the issue.

(9) **Dr. Dan Pennella**, 281 Governors Grant Blvd., Lexington County, stated that there had been a lot of discussion about the tax, but he would like to discuss the road projects. He stated that one project affects his business, The Braces Place, at 502 North Lake Drive right at the area near the roundabout. He added that the relocation of Dreher Street is right in the backyard which will change his beautiful view. He also had an issue with the relocation of Azalea Drive which affects the entrance into his business at the front door which is a big concern. He added that on the flip side he understood that there is a traffic problem and everyone has to give a little. He stated that he was not sure that was the best plan, but he is reasonable and knows that progress has to happen because he and his patients drive the roads. Dr. Pennella added that he and other area businesses owners could be affected if it cost \$500,000 to pave one mile of road, then they could have thousands of dollars in parking lot repairs. He further stated that he was also concerned about the tax which could have a negative impact.

(10) **Mr. Randy Halfacre**, President and CEO of the Greater Lexington Chamber and Visitors Center located at 311 West Main Street and his home address is 205 Muirfield Way, Lexington, gave a brief history about traffic issues in the Town. He stated that the Town approached the Chamber in 2002 about growing concerns regarding the escalation of traffic congestion in and around the Town and how it was beginning to choke off commerce. The discussion led to the Town's effort to develop a formal plan on how traffic mitigation would be addressed. Mr. Halfacre believed the date to be 2006 was when the Town adopted the Unified Traffic Congestion Management Plan as a guide. Over the course of several years, the Town secured over \$12 million in road improvement funds which spawned the Columbia Avenue improvements. He added that it also helped fund the Smart Signals System. Mr. Halfacre stated that since that time no additional road infrastructure

MINUTES
REGULAR COUNCIL MEETING
September 8, 2015

funding has been available to address traffic congestion. He stated that the prospect of similar funding in the future is virtually nonexistent from the Federal, State or County governments. Mr. Halfacre stated that Council was in a lock down position with nowhere to turn, except for the proposed use of Hospitality Tax for the three proposed intersection improvements. He added that even though the Mayor and Council had come under attack with abusive phone calls, emails, and editorials, it was not their fault for trying to find a solution with the only funding mechanism available, when the blame should rest with the State and Federal governments for not providing ongoing, sustainable funding or appropriate legislation for municipalities to use to generate the road improvement funds needed to keep up with growth. He added that their inaction and inability to do so forced Council's hand with nowhere to turn. Mr. Halfacre stated that those in the motoring public should thank the Council, not criticize them, for their bold leadership. He stated that at the Chamber they have asked if not the Hospitality Tax, then what; but they have not come up with an answer. He added that the opposition had been critical and divisive without providing any solutions. Mr. Halfacre stated that with the Chamber's long standing support of this important issue, dating back to 2002, and with the knowledge of very limited taxing authority, they wanted to commend the Mayor and Council for their efforts and officially go on record as supporting approval of using the Hospitality Tax legislation which the Chamber Board of Directors voted unanimously on August 19th. He added that if they don't move forward tonight the traffic gridlock would continue and adversely affect the flow of goods, services, customers, and the overall economic prosperity of our Town, not to mention emergency services responses. Mr. Halfacre stated that the Board's support was predicated on four components: (1) Three projects are clearly defined and addresses traffic congestion which will help the Chamber's business membership better serve their customers; (2) The inclusion of a sunset provision; (3) The commitment to continue to seek other funding options from State and Federal sources; and, (4) Council's commitment to eliminate the H-Tax should other funding come available. He stated that the Chamber thanked the Council and Staff for their efforts to address this important issue for both the Town residents and businesses. He added that they welcome the opportunity to be of continued support in the Town's economic development and quality of life initiatives.

- (11) **Mr. Talbert Black, Jr.** 234 Hermitage Road, Lexington County, wished to present a petition to Council. He presented a petition with 505 signatures that live mostly in the Town of Lexington who are opposed to the 2% Hospitality Tax for Council's consideration. Mr. Black stated that he does not live in Town and many Councilmembers made it clear that people that do not live in Town, their opinions do not count. He added that it is a common tactic to win an argument to build a strawman

MINUTES
REGULAR COUNCIL MEETING
September 8, 2015

and then hack him down. Mr. Black stated that often time words are put into someone's mouth that were never spoken. He stated that the \$8.5 million that the County is to receive was never discussed in Council until tonight. He added that he had investigated the money proper use of the money and it seemed to be a wide range of opinions and this Council stated that it could only be used for resurfacing and bridge repair. He spoke with Mr. Cooper at SCDOT this morning who told him that it can only be used for resurfacing. He also spoke to Senator Tom Davis and Representative Rick Quinn, who were two members of the General Assembly who were key in passing the legislation, and their opinion was that it could only be used on the maintenance of existing roads. He added that their opinion was that the projects described by this Council qualify. Mr. Black stated that he was not sure which opinion was true but it was at least worth discussing. He stated that the \$4.1 million received by the County can be moved around so the qualified projects can be funded and moved unrestricted projects; therefore there are other funding options.

- (12) **Mr. Willis Jordan**, 206 Hendrix Street, Lexington, stated that he is against the 2% tax. He would like to see the Town provide citizens with the necessities such as police, fire, ambulance, water, sewer, garbage, electric, phone, internet, and television, all of which are essential and paid for by the creation of a tax system imposed by the Town and the County. He added that the Town should not impose a tax burden on the citizens to pay for non-essentials such as purchase of property for the purpose of Town rentals or for the Town to construct buildings for resale or development and for Town profit or losses. He stated that in-town purchases should be made by citizens, real estate companies, private developers or property management companies without having to compete with the Town. Mr. Jordan gave the example that he researched all Town owned properties and the Town owned 93 properties. He updated it for 2015.

Mayor MacDougall stopped Mr. Jordan twice and stated that his comments were not germane to the Hospitality Tax. Mr. Jordan stated that he had been stopped every time he came here.

Mr. Jordan stated that the amphitheater property cost the Town \$1,040,000 which was wasteful spending and the tax loss on the property was \$89,000. He wished to distribute a package to Mayor Pro-Tem Livingston and a single document to the Mayor and each Councilmember.

- (13) **Mr. Tom Cone**, 108 Deerglade Court, Lexington, stated that he had lived in Lexington since 1983. He wished to address what the 2% tax could be used for by law, which he stated he knew about because he works in local tax and public finance. He added that some things had not yet been

MINUTES
REGULAR COUNCIL MEETING
September 8, 2015

mentioned about the Hospitality Tax: it is not a source of general fund revenue for whatever the Town wants to do; it was enacted for the purpose of promoting tourism with a specific list; and one item on the list was for road construction related to tourist destinations. Mr. Cone stated that we have some tourist destinations around here, but that is not what is causing our traffic difficulties – it is caused by growth and people commuting in the morning and evening to work and to school. He stated that he only knew of one case where the Hospitality tax was repealed once imposed and that was 11 years ago here in the Town of Lexington after the citizens voted against it on a referendum. He stated that there will never be a time in which road repairs are not needed nor will there be a time in which additions do not need to be made to an amphitheater. He added that once it starts, it does not stop so to say it is for 8 to 9 years is not the case and we are all grownups here. Mr. Cone stated that there is not enough time to get a ruling to confirm that this is a proper use of the tax. He added that the Attorney General will not give you an opinion because he says it's a fact matter. He stated that the Statewide Expenditure and Review Committee, that reviews Accommodations Tax, do not review this tax. He told the Council it was up to them. Mr. Cone stated that in the meantime, they place the credit of the Town in danger because once the bonds are issued they cannot be repealed and you cannot replace the funding with other taxes. He stated that he hoped that Council and others had briefed them fully on the difficulties of proceeding in this manner. He added that there are two excellent ways to fund the projects: Capital Projects Local Sales tax (turned down last year) and Transportation Infrastructure Tax. He recommended it be done on a countywide basis.

- (14) **Mr. Edward Atkinson**, 342 Vanderbilt Road, Lexington County, stated that he was a transplant from the north and he had lived with traffic circles all his life and they are dangerous and they are not for us. He added that he had been run off the road and driven into the curb. Mr. Atkinson stated that he has a business in Lexington County and he pays a 2% Hospitality Tax to Columbia and asked anyone how easy it was to get down Harbison Boulevard. He added that they have been collecting the tax for years and when he asked the tax office about it they say it is to bring people from out of town in – but he stated that no one is coming in. Mr. Atkinson stated that it is not a hospitality tax – it is a road tax.
- (15) **Mr. Chuck Corley**, 121 Berly Street, Lexington, asked that the Mayor and Council do what is best for the Town like they always do. He stated their neighborhood, the Historic District Triangle, had come to Council on many occasions, including traffic issues on Berly Street. He added that Berly is the street with two speed bumps which was taken over by the Town. He added that the street used to average 47 ½ miles per hour down their two block street with 1,200 cars per day. He stated that even

MINUTES
REGULAR COUNCIL MEETING
September 8, 2015

with the speed bumps they still have a lot of traffic back up on Berly Street from Columbia Avenue. Mr. Corley stated this is one of the best scenarios to help with traffic. He added that two way pairs will work and traffic circles will expedite traffic. He stated that previous Councils wanted everyone to come through Lexington and they got their wish. He added that across the dam you can see how it would be if you don't grow the area responsibly and he thought the Council has done a good job. Mr. Corley stated that Chief Green came to their neighborhood meeting recently and they discussed the road projects and his neighbors did not say anything about it. He stated that he used to be able to just back out of his drive way but recently he had to wait on eight cars to go by. He appreciated the research that the Council had done and he and his family were behind them. Mr. Corley stated that when his Granny Corley deeded two acres to form the Town in 1820, he figured this is what she envisioned – a large town that everyone could be proud of that would move forward with good planning. He added that the good Lord sent us this Council and he looked forward to their leadership.

- (16) **Ms. Susan Ruinen**, 108 Winners Circle, Lexington, stated that she has been the Chair of the Town's Traffic Committee since its inception, approximately 10 years, and she is a Road Engineer. She thanked the Mayor and Council for looking for a way to move forward and deal with traffic. She added that everyone knows there is traffic congestion; even her husband asked her when someone going to do something about traffic. Ms. Ruinen stated that the needs are great in the Town and everywhere and funding is small and does not match the needs. She would be glad to take the \$4 million and more and even if that money came through, she hoped that Council would move forward, but that money is usually used to pave dirt roads. She stated that the Traffic Committee supported the projects. She added that even though people say the projects came out of nowhere, the Traffic Committee talked about two of the projects 10 years ago, but could not move forward because there was no money. Ms. Ruinen stated that the Corley Mill area project had been in the works since the district decided to build a school, plus they reviewed it before the school was planned because of the issues and developments in that area. She added that the projects are not new, but the funding is new. She stated that areas around the State that are building road projects are doing it with local sales tax and the Town would also have to do it themselves. She stated that with roads, time is money, because projects that were approved 10 years ago, such as Main Street and Columbia Avenue, are just now getting completed. She added that the Town cannot wait another five years to get started. She wished there had been more than three projects on the list because the longer you delay it the more it takes. Ms. Ruinen stated that modern roundabouts are coming, such as the one at Mineral Springs at Cedar Road and a larger one is at Piney Grove Road which works wonderful. She expressed her

MINUTES
REGULAR COUNCIL MEETING
September 8, 2015

support and the Traffic Committee is happy to see the projects come forward that they have been reviewing for a decade or more.

- (18) **Mr. Kevin Heaton** and his daughter, 103 Forest Drive, Lexington County, and recently purchased the building at 101 West Main Street, stated that he has worked with towns all over the southeast on real estate projects. He added that the plan for their building will have an impact on the traffic in Lexington. He stated that they plan to have their offices in the upstairs portion of the building and the restaurants and retailers they have talked to for the first floor want to come here because of the demand and they see people here, but if people cannot get to their business they would not want to come here. Mr. Keaton stated that, coming from a company that pursues businesses to come here, none of the 10 or 15 restaurants have commented about the Hospitality Tax impacting their business. He added that they are not national restaurants, but local and Columbia restaurants. He stated that the more he thought about it, the more you go to other communities with the tax, those towns are making the appropriate investments and are thriving. He stated that it is not always a barrier to success with a tax. He added that to be successful you have to make an investment and when your growth is faster than your tax base, there has to be funds available for an infrastructure. Mr. Keaton stated that there will always be people for it and against it, but he supports it for what needs to be done in Lexington.

- (19) **Mr. William Arndt**, 206 Creek Side Lane, Lexington, stated that he did not like any type of tax and taxes should be voted on by the people who will be taxed. He questioned the legality of the use of the Hospitality Tax. His main concern is that it is being used for traffic circles. He stated that he spent 10 ½ years in Europe with the military as well as in the far east and he was well familiar with traffic circles. Mr. Arndt stated that traffic circles work well in light to moderate traffic, but in heavy traffic you would be asking for more problems than you have solved.

Mayor MacDougall called on Mr. Willis Jordan and asked him to come back and speak if he wished to make any further comments about the tax only.

- (12) (cont.) **Mr. Willis Jordan** stated that it does not take a rocket scientist or an engineer to figure out that these things are not going to work. He stated that each roundabout will take 15 months to complete. He added that the SCDOT letter stated that the one way pairs would be hazardous and a traffic nightmare. Mr. Jordan stated that he was against the tax because he thought the Town should provide him with the services that he mentioned previously. He added that these are State roads and Town is going off base to do something that is not going to work. He stated that Saluda traffic circle may work because they only have about 500 cars

MINUTES
REGULAR COUNCIL MEETING
September 8, 2015

a day, not 5,000 to 10,000. Mr. Jordan stated that he has been a resident for 20 years and moved here from Irmo because of congestion. He thought the projects were throwing money to the wind. He added that he and his wife and sons, who are retired military, went out to eat and it cost \$180, which was hard for him on a limited income. Mr. Jordan stated that even though the road work would be done at night, it would still cause traffic problems in the morning and at night. He added that the only way to improve traffic would be to limit the number of cars allowed, which would not be possible unless the Town was going to buy everyone helicopters. Mr. Jordan stated that when he called some Councilmembers they told him about the number of 100 yeses and 30 no's they had received, so he had some documents for Mayor Pro-Tem Livingston and a present for each of the other Councilmembers.

- (20) **Ms. Sharon Whitacre**, 212 Isobel Court, Lexington, asked how much traffic circles cost. She asked if the traffic circles caused more problems than they solve would they be removed. She wondered why citizens were not allowed to vote on the tax.

Mayor MacDougall responded that it depends on the size and one proposed roundabout will cost \$5.7 million and the second one is projected at \$5.4 million. He added that the traffic circles would not be removed.

- (21) **Ms. Mary McBride-Montez**, 132 Park Meadow Drive, Lexington, stated that she was raised in Europe and she stated that traffic circles work in small villages but not larger cities such as Paris. She added that people go round and around when they don't know how to get on or off of a traffic circle. Ms. McBride-Montez stated that she had also lived in New Jersey where there are a lot of traffic circles which they have been trying to rectify because of the growth. She stated that she had also lived in Pennsylvania with circles in every small town, but they would not work in Lexington where traffic is worse in the morning and afternoons with people commuting to Columbia, especially in the two proposed areas. She hoped they would think twice because they had to be another way. She thought as a democratic country, citizens should have the right to vote on what goes on in their city and not just passed by a few individuals.

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

OLD BUSINESS

1. A motion was made Mayor Pro-Tem Livingston and seconded by Councilmember Williams to approve **Final Reading of an Ordinance to**

MINUTES
REGULAR COUNCIL MEETING
September 8, 2015

Amend the Building Code Ordinance. The motion was unanimously carried by all those present.

2. A motion was made by Councilmember Stambolitis and seconded by Councilmember Williams to approve **Final Reading of an Ordinance to Annex Lexington County Tax Map #3500-03-161 located in the 4800 Block of Sunset Boulevard.** The motion was unanimously carried by all those present.
3. A motion was made by Councilmember Shevchik and seconded by Councilmember Carnes to approve a **Resolution Identifying and Authorizing Hospitality Tax Projects.** Councilmember Shevchik stated that 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 purposes indicated in S.C. Code Section 6-1-730 which includes among other items funding of highways, roads, streets, and bridges providing access to tourist destinations. The Resolution identified tourism related destinations within the Town of Lexington and identified specific roadway projects which comply with Section 6-1-730. (Copy attached.) The Resolution identified specific findings of fact supporting Council's conclusion to fund the identified projects with Hospitality Tax. The Resolution described the projects and specified that upon adoption proceeds of the Hospitality Tax shall be used to fund the projects. Council will adopt budgets and can authorize future financing utilizing Hospitality Tax proceeds in order to complete the projects in accordance with estimated time lines.

Councilmember Stambolitis stated that the proposed projects need more research and there are other projects that have more merit. He requested multiple and independent engineers to do a traffic impact study, because the Town has not explored every possible idea from the Traffic Committee. He added that he is not opposed to traffic improvements; he is opposed to these improvements. He wanted more professional opinions brought to the table.

Councilmember Carnes stated that the discussions about the relocation of Dreher Street, which relates to the roundabout at the Middle School, started in 2004 with SCDOT, internally, with private engineers, and the Town's Traffic Committee which is led by a professional engineer who also teaches engineering at the University of South Carolina. He stated that it is time to move because we have landed on projects that will have great impact on Town and they have done their due diligence. Councilmember Carnes stated that Main Street has been in discussions ever since everyone could remember. He wished to clarify that it had been mentioned that SCDOT was not involved in the process, but he assured everyone that the Town had been in constant contact with SCDOT including the District 1 Manager. Councilmember Carnes stated that some stated tonight that SCDOT had said the projects would be a nightmare, but that was totally incorrect and he did not know the source of that information. He added that the projects are at a conceptual stage, and not dreamed up by Council, but put on paper by

MINUTES
REGULAR COUNCIL MEETING
September 8, 2015

engineers and professionals. He stated that the steps to move forward include traffic studies at each intersection, detailed traffic counts, professional engineers would vet out the projects to design them and SCDOT would put them through their modelling software to make sure that the solutions are agreed upon by SCDOT engineer, Town engineers and professional independent engineers. He added that they would not put something in place that would not work. He stated that they do not want to bring difficulties to the Town, we are working with efficiencies. He stated that as the Resolution comes forward, he pointed out that it has a sunset clause. Councilmember Carnes stated that someone said that taxes never go away, but how many times have you heard of a municipality rolling back taxes, which the Town has done twice in 30 years. He stated that it is not about the tax, but about being progressive and moving forward. He added that we are all Lexingtonians and we are not going to all agree on this, but we are all going to live here and be neighbors. He stated that good principled men and women can disagree without being disagreeable. He thanked the people that were present tonight and volunteered their time because they love Lexington and they want what is better for it. He stated that the Council takes their role seriously to decide what is best for the Town and they want to help everyone and they are doing the best they can with what they've got.

Mayor Pro-Tem Livingston stated that she had been on Council for 17 years and none of them were elected unanimously, but they all respect their constituents. She stated that sometimes they have to make tough decisions, decisions that they don't like, but are necessary to move the Town forward. She added that there had been a lot of negative information and she personally was beat up very hard with phone calls, emails, cussed at, and hateful things being said because she was a woman in an elected position. Mayor Pro-Tem Livingston stated that we all love Lexington and they can all treat each other with respect even if they disagree. She stated that she treated each caller with respect, took packages to some offices and homes and it is ok to disagree. She added that this is a conceptual plan, and as she promised everyone that she talked to, each citizen's concern would be heard and she would personally take their concern to the engineers if they could not attend the public meetings which will be held prior to the projects. Mayor Pro-Tem Livingston stated that anyone that knows her as an elected official, she is known to keep her word. She added that she will get the answers from the engineers, because she is not an engineer, but she is honest and doing the best she can with what she knows about what they need to do. She stated that callers do not have to be hateful, just call and give her their opinion and let it be. She stated that she is going to vote for the tax and move forward to support this tax because it is the only choice they have right now. She added that she was involved with obtaining money for the first project, which she was mocked about that too, and it took 10 years, but we don't have 10 years. She asked everyone to come to the public meetings when they are announced in order to stay informed, and if they could not come, she would make sure that their concerns were heard.

MINUTES
REGULAR COUNCIL MEETING
September 8, 2015

Councilmember Carnes wished to clarify the question about why citizens were not allowed to vote on the tax. He stated that they had talked to the Town Attorney who advised them that by State statute, the Hospitality Tax cannot be turned over to citizens for a referendum, but has to be voted on by the citizens representatives, which in this case is the Town Council.

Councilmember Stambolitis agreed with Councilmember Carnes in that the law does not allow a referendum, but during the last Hospitality Tax Council did a non-binding referendum to get an opinion from the citizens and Council voted it down. He added that with the mandate from the citizens, Council discontinued the tax. Councilmember Stambolitis stated that in November 2014 a one cent sales tax was proposed and the citizens voted it down by a landslide. He added that some of the projects associated with the one cent sales tax are now on Council's proposal. He stated that he spoke with representatives from SCDOT and they have not fully endorsed these projects. He added that they told him they would comply but it was the Town's decision as to what type of roads to build. Councilmember Stambolitis stated that the SCDOT representative should be involved in this process, but the representative is very high up in the department and did not want his name mentioned. He added that SCDOT needs to be intimately involved in the projects because it is a State highway and they have a better idea of what should be constructed. He stated that another Councilmember said there was modeling done on this proposal, but there was not. Councilmember Stambolitis stated that the traffic circles came out of the blue and have not been tested; have not been tested or proposed by an outside independent engineer; and; did not have a traffic impact study done because it would tell you exactly how much of an impact the improvement would have on traffic. He stated that when he built his shopping center he was required to do an extensive impact study and if his center impacted traffic he had to make improvement to the intersection because of the impact he would have on the Town. He questioned why the same standards were not applied when the Town wants to make a change in traffic. He described modeling as when SCDOT puts the calculations into their computer software to analyze the impact of a traffic change. He wants to see this done on the proposed projects. Councilmember Stambolitis addressed the project at Highway 378 and Highway 6, which is a Federal Highway, and stated that are 42,000 cars that go through that intersection each day including 18 wheelers. He asked everyone to imagine multiple 18 wheelers maneuvering and negotiating that traffic circle at 35 to 45 miles per hour with kids getting out of school in that area. He stated that it terrified him. He begged Council to delay this part of the project and get different opinions because our kids and grandkids deserve it. Councilmember Stambolitis stated that the traffic circle at Corley Mill was proposed by the County, the Town and the school district, but it was stopped for reasons that were never told. He heard some of the landowners were not going to allow the right-of-way to be purchased. He questioned what had changed. He questioned why it was being re-proposed when the County and the school district stopped. He stated that there were additional unanswered questions.

MINUTES
REGULAR COUNCIL MEETING
September 8, 2015

Councilmember Williams asked to re-address Ms. Ruinen. He stated that based on his conversations with SCDOT he was informed that the first thing that would happen with the proposed projects was to do a traffic study. Mrs. Ruinen responded yes, that was correct. Councilmember Williams asked if the next step was to do the modeling process. Mrs. Ruinen stated that getting traffic counts and modeling was part of the analysis process. She stated that they would start with the proposed plan, traffic would be counted, another model would be done because it had already been modeled once; adjustments would be made at that time, they would verify that the roundabout would work in sync with lights, and tweaked to come up with what it would look like operationally, and then it would move forward to a design. Councilmember Williams stated that Council has to enact the tax to fund the traffic study because the Town does not have funds in the budget to fund a study at this time. Ms. Ruinen pointed out that two of the projects were modeled approximately 10 years ago and she re-stated that they would have to be updated with the new data, but the basis for the model of the one way pairs was already done by SCDOT. She added that the project at Lexington Middle School goes back 10 years and included the relocation of Dreher Street, but it did not include a roundabout, which would need to be modeled. Councilmember Williams confirmed that at that point, SCDOT would advise the Town if the model did not work and to use other methods of improvements. Councilmember Williams stated that he volunteers at the elementary school and a week ago there was a surprise fire drill where they got all the kids out of the school and back in the building before the fire truck could get there because of the traffic. He stated that we need to fix it.

Mayor Pro-Tem Livingston confirmed with Ms. Ruinen that she was the only one still here that was on Council when the Traffic Committee was formed. She added that she had hugged SCDOT Engineer Dipak Patel tonight who she considers to be a wonderful, very intelligent, and smart engineer. She stated that there was a plan that needed to be looked at again, and even though it did not include a roundabout at Corley Mill Road, the location was part of the original plan. She stated that it was modeled, by real SCDOT engineers, and put up on a large screen for them to see. She remembered that at one time there was a small roundabout included but it was removed because SCDOT was uncertain about some of the issues. Ms. Ruinen confirmed that the Town had to have a plan before proceeding with Phase I. Mayor Pro-Tem Livingston agreed and stated that the plans needed to be updated but the Town had to have the money first. She addressed the anti-tax people who had been calling her every five minutes today and not leaving their name, to let them know that if Council did not have a plan for the funds they would be even more upset. She added that at least Council was being open, transparent and telling the citizens what they want to do with the money. She asked them for some respect to the Council. She thanked Ms. Ruinen for the job she does on the Traffic Committee and all the tough times she has faced.

MINUTES
REGULAR COUNCIL MEETING
September 8, 2015

Councilmember Shevchik called for the vote to the motion he made to approve a Resolution Identifying and Authorizing Hospitality Tax Projects. The motion carried with a vote of five (5) in favor (Carnes, Livingston, MacDougall, Shevchik), one (1) opposed (Stambolitis); and one (1) absent (Maness).

Mayor MacDougall called for a brief recess at 8:22 p.m.

4. A motion was made by Councilmember Carnes and seconded by Councilmember Shevchik for **Final Reading Approval of an Ordinance to Adopt a 2% Hospitality Tax**: Councilmember Carnes stated that 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 purposes indicted in S.C. Code Section 6-1-730 which include:

- (1) tourism-related buildings including, but not limited to, civic centers, coliseums, and aquariums;
- (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. The Hospitality Tax is estimated to initially generate approximately \$2 million annually. Town Council identified qualifying projects and uses for proceeds. Town Council will appropriate funding through annual adoption of a Hospitality Tax Budget.

Councilmember Stambolitis asked to address several comments that had been made tonight that he would like to provide closing views. He stated that the Lexington Chamber endorsed the projects and one of the Town Councilmembers went to the Chamber Board to discuss the issue. He would have liked for the Chamber to allow opposing views and not just hear from one Councilmember. He stated that the members of the Chamber were not allowed to vote on the endorsement and he would have liked to see the results of that poll to see how they feel about it. He stated that The State newspaper reported that Lexington County would reintroduce the one cent sales tax. He questioned how that money would be spent and if the one cent tax passed, would the Town repeal the Hospitality Tax as a Councilmember had promised. Councilmember Stambolitis questioned if our tax would jeopardize the County's tax because all the citizens are watching so how do you sell that to the public or more taxes for more roads.

Mayor MacDougall requested that Councilmember Stambolitis' comments stick to the subject at hand, an Ordinance to Adopt a 2% Local Hospitality Tax.

MINUTES
REGULAR COUNCIL MEETING
September 8, 2015

Councilmember Stambolitis stated that his comments were related and it has a big impact and is related and if he is wrong he would let the legal department tell him. He stated that people say that taxes and fees have gone down, but that is not 100% true. Councilmember Stambolitis stated that water and sewer rates were increased earlier in the year and a few months ago the franchise fee on electricity was increased from 2% to 5%. He added that with the new Hospitality Tax it starts to add up even if you don't call it taxes, it is still money. He stated that he owns several businesses and his electricity bill runs \$6,000 to \$8,000 a month so another 2% can add up. He stated that he owns multiple properties and taxes add up. He stated that Lexington County just had a reassessment and chances are your taxes just went up. Councilmember Stambolitis stated the building industry supports this tax and he understands that, but they add to traffic in the area. He added that multiple developments are underway, which add substantial traffic to the area, yet they do not contribute to road improvements. He stated that impact fees had been brought up several times at the State House, but it was shot down or lobbied against because the building industry or real estate agencies do not want it because it would impact the sale of houses. He added that everyone wants taxes from one industry or another, but not their own. He stated that we all have to contribute. He was not saying that the proposal is the wrong idea, he would just like a more thought out plan, more people involved, to come up with an idea that is for the greater good with a greater vision.

Mayor MacDougall called on Councilmember Stambolitis to finish his comments because he was rehashing everything he had already said. He would allow him to continue if he would keep to the topic.

Councilmember Stambolitis requested that Mayor MacDougall refer to Roberts Rule of Order. He continued by stating that some say 2% does not make a difference, yet people will drive to another gas station if the gas price is two cents lower. He stated that it was easy to point out that no civil engineers were present, because they were not invited. He added that only particular engineers were invited with no independent engineers. He stated that if you want a true dialog of the experts, you should have them here. He added that he wants an engineer here and he is willing to pay for it because it is that important. Councilmember Stambolitis stated that citizens think this is an important issue and he supported having a non-binding referendum. He added that he trusted the citizens, their judgement and their vote because they voted in November against it and in 2005. He thought the citizens of Lexington are very intelligent people who have done their homework. He stated that if the citizens voted for it, he would be for it.

Mayor MacDougall asked Councilmember Stambolitis which meeting he had been in because they had just discussed that issue and it could not be done with this tax. He asked for additional comments from Council.

MINUTES
REGULAR COUNCIL MEETING
September 8, 2015

Mayor Pro-Tem Livingston wished to clarify some issues because there had been some misinformation even though Council had been very transparent about traffic improvement. She thought the misinformation had come from the same people that had been calling her from the LCCW group. She stated that she was one of the last Councilmembers to come on board with the tax. She added that it had to have the projects attached to it; have an end date, and have a Public Hearing prior to the First Reading. Mayor Pro-Tem Livingston stated that she had contacted Senator Shealy today to get a definition of exactly how the money could be used that was described in the letter that Lexington County Council Chairman Jeffcoat had received. She stated that someone who had been lobbying against the tax had stated that the money could be moved around in the General Fund and be transferred and other money could be used, however that would be considered money laundering and in the government world that is illegal because you cannot move money around like you can in your own bank account. She stated that SCDOT (Mr. Allen Hutto, Government Relations) provided information at the request of Senator Shealy and their letter stated: *“County Transportation Committee shall utilize the funds distributed pursuant to this proviso solely for use on State owned secondary road system for paving, rehabilitation, resurfacing and/or reconstruction of bridge repair. No funds from this allocation shall be used for any roads, bridge or highway that is not part of the State road system”*. Mayor Pro-Tem Livingston added that they were asked to clarify if the funds could be used for Lexington’s road projects and their response was: *“These funds would not be available to be used on projects such as proposed by Lexington for roundabouts or one-way pairs”*. She stated that verifies that the funds to be received cannot be used for the proposed projects and the Hospitality Tax is the only way to do the projects. Mayor Pro-Tem Livingston stated that they were all elected to have opinions and they had all done their work. She stated that they did not all come to terms with the tax at the same time. She added that it took months and some were not at meetings and some were not involved. She stated that she had been here through it all except for in 1979 when a by-pass was discussed which is not going to happen. She stated that this is the only option and it is not an easy option and no one on Council wants to do another tax. Mayor Pro-Tem Livingston stated that it was like a gentleman said earlier, to be successful you have to make an investment and as elected officials they have to make an investment in the community. She stated if people wanted to make fun of her and post her on Facebook about making an investment in her grandchildren’s future, to go ahead, because “my grandchildren” means everyone’s grandchildren and everyone driving on our roads. Mayor Pro-Tem Livingston stated that she was going to take a stand today and be brave and make the investment to move forward for progress.

Councilmember Carnes wished to clarify some mischaracterizations which he did not think were intentional but he wanted to bring the facts. He asked Town Administrator Poole if the CEO and members of the Chamber Board met with him and Transportation Director Randy Edwards regarding the tax. Mr. Poole responded that he had met with the Chamber but there had been so many

MINUTES
REGULAR COUNCIL MEETING
September 8, 2015

meetings he could not verify for certain that Mr. Edwards was at that particular meeting. Councilmember Carnes stated that the Chamber Board made up their minds with independent meetings with Staff, not with any one particular Councilmember.

Councilmember Stambolitis wished to rebut Councilmember Carnes comment. He asked Town Administrator Poole if opposing views were presented to the Chamber. Mr. Poole responded that they did not present positive or negative, they only present the facts and people are left to make their own decisions. Councilmember Stambolitis asked Councilmember Carnes if the Chamber made their decision after Councilmember Carnes' meeting with them. Councilmember Carnes stated that the decision was made at the Chamber's regular Board meeting. Councilmember Stambolitis asked if Councilmember Carnes was at that meeting to make a presentation. Councilmember Carnes responded that he was at the Chamber Board meeting, but he did not make a presentation, he was only given 60 seconds and the decision of the subcommittee was made before he arrived. Councilmember Stambolitis asked what was the subject of the 60 seconds. Councilmember Carnes responded that if he had that kind of memory he would be somewhere else. Councilmember Stambolitis asked if he did not speak on the issue of promoting and endorsement of this program. Councilmember Carnes responded that he probably said something similar to what he had said tonight. Councilmember Stambolitis asked if there were any opposing views presented. Councilmember Carnes responded no, you were not there. Councilmember Stambolitis stated that this is a democracy and we need to hear from all sides to make a clean decision.

Mayor MacDougall stated that the meeting was running 2 ½ hours and they had listened to everyone who wanted to speak and he felt that was pretty fair. He called for the vote to the motion made by Councilmember Carnes and seconded by Councilmember Shevchik for Final Reading Approval of an Ordinance to Adopt a 2% Hospitality Tax. The motion carried with a vote of five (5) in favor (Carnes, Livingston, MacDougall, Shevchik), one (1) opposed (Stambolitis), and one absent (Maness).

NEW BUSINESS

1. **Approval of Hospitality Tax Policy:** State law allows a municipal governing body to adopt a local Hospitality Tax on prepared foods and beverages. The attached policy provides a guideline for determining items subject to and exempt from the tax. Additionally, the policy authorizes Staff to implement administrative procedures required for collection and clarifies the impact of holidays and weekends on the due date. (Copy attached.)

A motion was made by Councilmember Williams and seconded by Councilmember Shevchik to approve the Hospitality Tax Policy. The

MINUTES
REGULAR COUNCIL MEETING
September 8, 2015

motion carried with a vote of five (5) in favor (Carnes, Livingston, MacDougall, Shevchik), one (1) opposed (Stambolitis), and one absent (Maness).

2. **Approval of Resolution for the SC Abandoned Building Revitalization Act regarding 101 West Main Street:** The owners of 101 West Main Street were pursuing tax credits available under the South Carolina Abandoned Buildings Revitalization Act. The Act expands tax credits for the rehabilitation, renovation and redevelopment of abandoned buildings. An application for this tax credit requires the local municipality approve a Resolution indicating the property has been abandoned for five (5) years or more. (Copy of Resolution attached.)

A motion was made by Mayor Pro-Tem Livingston and seconded by Councilmember Shevchik to approve a Resolution for the SC Abandoned Building Revitalization Act regarding the property at 101 West Main Street. The motion was unanimously carried.

ANNOUNCEMENTS

Mayor Pro-Tem Livingston made the following announcements: (1) She wished Councilmember Carnes a Happy Birthday later this month on September 23rd. (2) The Town's Farmer's Market is open every Saturday this month at Lexington Square from 9:00 to 12:00. She requested that people who are against progress look at the Market on Saturday and see how it has grown. She stated that the location is now beautiful and used all the time where it used to be nothing but concrete. (3) Council will meet again on September 21st for the Council Work Session at 6:00 p.m. in the Eli Mack Room. (4) The Traffic Committee will meet September 22nd at 8:00 a.m. on the third floor at Town Hall. (5) The Planning Commission will meet September 23rd at 8:00 a.m. in the Council Chambers. Mayor Pro-Tem Livingston thanked everyone for coming out to the meeting tonight and for watching your Town Council in action.

NEWS MEDIA QUESTIONS: Mayor MacDougall confirmed for the news media that they would also be available for questions following the meeting.

PUBLIC COMMENTS: None.

ADJOURNMENT

Mayor MacDougall thanked the Council Members and citizens for attending the Council meeting. He thanked those at home for viewing the Council meeting on Channel 2 and it will also be replayed several times during the week.

Mayor MacDougall called for a motion to adjourn. A motion was made by Councilmember Williams and seconded by Mayor Pro-Tem Livingston to adjourn the Council meeting.

MINUTES
REGULAR COUNCIL MEETING
September 8, 2015

The Regular Council meeting was adjourned at 8:41 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.