

MINUTES
Town of Lexington
Special Council Meeting

September 17, 2015

Town Council held a Special Council Meeting on September 17, 2015 at 12:00 p.m. in the Eli Mack Sr. Room. The meetings were attended by: Mayor Steve MacDougall, Mayor Pro-Tem Hazel Livingston, Councilmembers Todd Carnes and Ron Williams. Councilmembers Kathy Maness, Ted Stambolitis and Todd Shevchik were absent.

Staff members present were: Town Administrator Britt Poole, Assistant Town Administrator Stuart Ford, Planning, Building and Technology Director John Hanson, and Municipal Clerk Becky Hildebrand.

There were four sign contractors present and no members of the news media were present.

CALL TO ORDER: Councilmember Carnes welcomed everyone to the Special Council Meeting. He explained that several sign contractors had contacted him regarding issues in producing signs in the Town of Lexington. He invited them to a luncheon/meeting in order to discuss their issues. He called the meeting to order at 12:00 p.m.

Mayor Pro-Tem Livingston stated that she had been on Council for 17 years and one of her first projects was to work on the Sign Ordinance. She wanted the sign contractors to know that many hours with Staff and sign contractors had been put into the Ordinance and some compromises had to be made to accomplish the goals for the Town of Lexington. She added that Lexington has a very strict Ordinance and many other Towns have used it as a model.

NEW BUSINESS

1. **Lunch Meeting with Council and Sign Contractors to discuss sign issues.** Council Member Carnes introduced the following sign contractors:

Mr. Barry Johns

Signarama

Irmo

Mr. Gerry Brossard

FastSigns

Columbia

Mr. Bill Bonnaville

Carolina Custom Signs

Lexington

Gary L. Butler

Capitol Design Signs & Graphic

Lexington

Mr. Johns stated that the contactors had discussed some of the issues they had experienced. He stated that the issues were not about the type of sign,

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but rather about what to expect with color standards. He added that their clients do not like it when a color is submitted and the contractor has to go back to them because the color did not get approved. Mr. Johns stated that other cities use a Pantone Color Chart as a guide. He added that they all know the other Town rules such as no white backgrounds on backlit signs.

Mr. Bonnaville stated that he had clients that could not use their trademark shade of blue, but were not directed as to which blue they could use. The client wondered if they lived in Russia. He added that Springdale used Sherwin Williams color decks and stated no neon colors. He thought that would save time for everyone. Mr. Bonnaville stated that a Pantone Chart would help because now when they ask about it they are told that Staff has no idea. He questioned where does “off white” stop? Later he restated that he understands the Ordinance so far as size and placement, but when it comes to colors – he did not understand how Krispy Kreme got their sign approved.

Councilmember Carnes stated that Beaufort, Hilton Head, and Charleston ask for a color drawing of all signs. He asked why the Town could not narrow down the color spectrum and define a selection of muted colors.

Mayor Pro-Tem Livingston stated that Dollar General was not allowed to use their standard color, based on the Architectural Review Board’s decisions, and the Town had been praised for it by many citizens. She added that Mr. Hanson is very helpful with all new sign requests and has been more than willing to work with everyone. Mr. Hanson added that he has offered many times to explain the sign permit to the client.

Mr. Hanson clarified the process and stated that there is a Staff Committee that approves sign requests based on what is allowed by the Appearance Manual, and if they approve the request, it is completed. If the Staff Committee does not approve the request, because it is outside the scope of the Appearance Manual, they will refer it to the Architectural Review Board. Mr. Hanson added that a Staff member will then call the sign contractor to let them know of the options that may be reviewed by the Board. Mr. Hanson stated that several years ago he had asked the Architectural Review Board to consider using a color palette, but they said no. Mr. Poole stated that the colors are situational dependent. Mr. Hanson explained the situation with Discount Tire that had to take their request to the Board because they wanted a monument sign plus three wall signs. He had to call the corporate office, who understood that they could not have three back-lit signs, but the sign contractor lost the sale of two signs. Later he stated that when color samples are faxed over, they can lose the shade of their actual color just by printing on a different printer, so they sometimes asked for a color sample to be sent to Staff. Mr. Hanson stated that the sign contractors have a copy of the manual and they could easily see examples of good signs and signs that would not be approved.

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Mr. Bonnaville stated that they use Pantone colors in their Matthews System and if the Town identified Pantone codes, it would match exactly to what they use.

Councilmember Carnes stated that at least in the case of Discount Tire, something was worked out and it was not personal, but based on the Ordinance. He requested that Staff work out something on the color palette issue.

Mr. Johns stated that their second issue had to do with not receiving the sign permit until after the CO (Certificate of Occupancy) is issued. He added that it takes approximately three weeks to make a channel letter sign and a restaurant owners does not understand why they get install the sign by the time they are ready to open for business. He stated that the City of Columbia does not do it that way. He requested that they receive approval so they can go ahead and build the sign prior to the CO being issued. Mr. Johns stated that he had taken an \$8,000 to \$10,000 chance to go ahead and make the sign, but he could not stand to lose the money if not approved.

Mr. Bonnaville gave the example of an electrician who has to start on the wiring prior to the CO, but the Building Inspector can decline his work. He added that O'Reilly's put the monument sign in the wrong place and they had to move it out of the sight triangle. Mr. Bonnaville also wished to address that the Town of Lexington is on the high end of cost for sign permits. He added that Columbia may charge \$60 and the Town would charge \$100 for the same thing and West Columbia may charge \$25 and the Town would charge \$175.

Mr. Hanson later confirmed that they sometimes get the sign permit request before they receive plans for a building up-fit, which was the case with the Lost Cajun. He stated that last year the sign permit for Mattress Source was held for 180 days pending the completion of the building. Mr. Poole stated that the Town does hold the sign permit until the construction permit, business licensing and zoning requirements are complete.

Mr. Johns wished to address LED gas chambers and why the Town does not allow them.

Mr. Poole stated that the Federal Government rules state that a municipality can allow all or none and Council had voted to not allow digital signs. He added that Council has allowed gas signs, but not digital or LED. He gave the example of Murphy's gas signs with flip numbers like an old alarm clock, but the numbers can be changed from inside the building.

Councilmember Carnes stated that he understood it was a timing issue with the CO. He asked if there were any other concerns or helpful ideas. He

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confirmed that the Town is business friendly and wants to work out issues as they occur. He asked the sign contractors to name other cities that make sign permits easier.

Mr. Bonnaville responded that the City of Columbia has gone on-line with sign permitting and it is great. He also addressed why the Town of Lexington will not let anyone else come and pick up and pay for the permit.

Mr. Hanson stated that they could change who picked up the permit, but the person on the paperwork needs to let Staff know who is coming to pick it up. Councilmember Carnes agreed that this was an easy fix.

Mr. Brossard stated that clients do not understand about grandfathered signs. His recent client, Saucy Dogs, did not understand why Sandy's was allowed to have a 4 by 4 pole sign.

Mr. Poole explained that a business has 10 years from the date of annexation to comply with the Town's Sign Ordinance. He stated that the Sandy's Hotdog sign is an unusual case and was permitted by SCDOT as a billboard; therefore, they can keep it. He added that the Hope Ferry Center sign will have to come down in size in 3 to 4 years.

Mayor Pro-Tem Livingston stated that the Ordinance was written in order to give businesses that annex a fair chance to get the dollar value out of their sign. Mr. Poole confirmed that it would be considered a taking if 10 years was not allowed due to the cost value of a sign.

Mr. Bonnaville asked why signs placed inside the window were not permitted when the Town is so particular about the outside sign.

Mr. Poole explained that the Sign Ordinance was written that way during significant give and takes during the process and that is one of the "funky parts" where the signage does not count toward the total signs allowed. He added that the Architectural Review Board has reviewed this issue but has not made any changes.

Mr. Johns stated that the last issue is regarding LED message centers. He described them as the signs used by the Police Department to get a message out. He stated that it was controversial for a business to use one, but the Town's own Police Department can roll them out to announce that something is going on. He added that the sign itself could create a danger.

Councilmember Carnes responded that they had a valid point.

Mr. Poole stated that Public Safety is exempt from the Ordinance. He added that the Police Department uses a message center to announce 5K runs or

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traffic delays. He stated that one is a public interest and one would be a private interest.

Councilmember Carnes stated that our world does change and it is worth taking a second look at Ordinances. He stated that the issuance of sign permits after the CO was a miscommunication.

Mr. Butler asked for clarification of changing the face of pylon signs because if some were required to be replaced just like they previously were, then the color may be too bright. Mr. Hanson stated that a face change on a pylon sign is a new sign and should come into compliance with the Ordinance and is no longer grandfathered.

Mr. Johns stated that the sign at Dennis Johns, on Highway 6, was not in compliance, nor were the signs marking the entrance to the 14-Mile Trail because they were post and panel signs. Mr. Hanson responded that the sign at Dennis Johns should be a monument sign, not a sign with two posts. He described several other signs in the area that had to be brought to the ground to be in compliance.

Councilmember Carnes concluded the meeting by summarizing: (1) some miscommunications now had clarity; and (2) Council was there to make the sign contractor's life easier and they all understood that a lot of hands are in the process including Staff, Council, Board of Appearance, and 20,000 constituents. He added that we have all learned from today's meeting. He encouraged the sign contractors to contact Mr. Hanson or Mr. Poole if the answers they received did not make sense.

Mayor Pro-Tem Livingston stated that she liked the idea of Columbia's on-line system. Mr. Hanson stated that it was in process, but not yet on the books.

The meeting adjourned at 1:10 p.m.

Respectfully submitted by:

Becky P. Hildebrand, CMC

APPROVED BY:

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.