

**MINUTES**  
*Town of Lexington*  
*Executive Sessions and*  
**REGULAR COUNCIL MEETING**  
**January 4, 2016**

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Town Council held an Executive Session at 5:30 p.m. followed by the Regular Council meeting at 6:30 p.m. in the Council Chambers on January 4, 2016. The meetings were attended by: Mayor Steve MacDougall, Councilmembers Kathy Maness, Ted Stambolitis, Todd Shevchik, Todd Carnes, and Ron Williams. Mayor Pro-Tem Hazel Livingston was absent due to the death 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, Utilities and Engineering Director Allen Lutz, Finance Director Kathy Roberts, Director of Parks and Sanitation Dan Walker, Assistant Director of Parks and Sanitation Johnny Dillard, IT Network Administrator Darrell Pritchard, Events and Media Coordinator Jennifer Dowden, Assistant Municipal Clerk Karen Hanner, and Municipal Clerk Becky Hildebrand.

There were approximately ten (10) citizens present for the Council meeting. One member of the news media was present.

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**INVOCATION, PLEDGE OF ALLEGIANCE AND CALL TO ORDER:** Mayor MacDougall welcomed everyone to the meeting and introduced the Council Members. Pastor Tim Brokaw, Midlands Christian Church of Lexington, gave the invocation. Councilmember Williams led in the Pledge of Allegiance. Mayor MacDougall called the meeting to order at 6:33 p.m.

**EXECUTIVE SESSION REPORT**

Mayor MacDougall reported that the *Executive Session* was called to order at 5:30 p.m. after a motion was made by Councilmember Stambolitis and seconded by Councilmember Maness to go into *Executive Session*. The motion was unanimously carried by all those present (6). Council adjourned from *Executive Session* at 6:25 p.m. after a motion was made by Councilmember Carnes and seconded by Councilmember Williams. The motion was unanimously carried by all those present. Mayor MacDougall reported that pursuant to SC Code §30-4-70(a)(1) and (2), Council met in *Executive Session* to discuss: a legal issue regarding Carolina Water, a contractual issue regarding water and sewer; and, one routine personnel matter. No vote was taken. A motion was made by Councilmember Maness and seconded by Councilmember Williams to ratify Mayor MacDougall's *Executive Session* report. The motion was unanimously carried by all those present.

**ADDITIONS/DELETIONS ON AGENDA:** Mayor MacDougall requested to delete Presentation #2, at Chief Green's request (2015 Officer of the Year). There being no objections from Council, the item was deferred to a later date.

**APPROVAL OF MINUTES:** A motion was made by Councilmember Maness and seconded by Councilmember Stambolitis to approve the minutes as submitted for Council's Regular meeting held on December 7, 2015. The motion was unanimously carried by all those present.

### **PRESENTATIONS**

1. **Proclamation Commending Chris King, Michael Sechrest, and Greg Croft of Interactive Data Visualization, Inc. – Councilmember Todd Shevchik:** Mayor MacDougall introduced a video featuring movies that Interactive Data Visualization worked on. Councilmember Shevchik read a Proclamation honoring Messrs. King, Sechrest and Croft for receiving numerous awards for their SpeedTree software including an Engineering Emmy. The owners are University of South Carolina graduates and operate their business in Lexington, S.C. (Copy attached.)

Mr. King stated that it was a shock almost a year ago to win an Academy and then to win an Emmy in October. He added that they were not at the glamorous Oscars but at the nerdy Si-Tec Oscars, which was a thrill for them. He stated that it is hard to explain what they do and it helps for the Mayor and Council to recognize them which helps explain their unusual job. Mr. King stated that he was from Lexington and Michael Sechrest is from Irmo and after they met at USC they started the company 14 years ago which now has 10 employees. He added that they have now been in 60 feature films with the first one being *Avatar*. Mr. Sechrest thanked the Mayor and Council and added that it would mean a lot to his parents. He confirmed for Councilmember Stambolitis that they did not plan to expand into other areas, but remain in the niche of virtual vegetation. He added that when people from California come to visit them they are always blown away at reasonable real estate prices and how beautiful it is in South Carolina.

2. (Deleted) **2015 Officer of the Year**
3. **Major Matt Davis, Assistant Chief of Police, FBI Academy Graduate, Quantico, Virginia – Police Chief Terrence Green:** Chief Green congratulated and commended Major Davis for being the third Lexington Police Officer to graduate from the ten week FBI National Academy, #262. Chief Green was especially happy to have Major Davis back because the class started right at the time of the floods in Lexington.

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Major Davis thanked the Chief, Mayor, and Council for giving him the opportunity to attend the FBI Academy. He added that it had always been one of his goals in his law enforcement career.

**VISION PLAN UPDATE**

Mayor MacDougall gave a brief review: (1) The Project Ice House is progressing even with the continuous rains. The water and sewer lines have been installed and storm drains for the site are 50% complete. Work was also started on the restroom building foundations. (2) The Adaptive Signalization System had video detection implemented for 5 signals on December 21<sup>st</sup>. Beginning on January 5<sup>th</sup> five signals will be converted over to “Adaptive” control in place of “time of day” control. Mayor MacDougall asked citizens to be patient as the system is put into place over the next several days. The affected intersections are Main Street at Church Street and Lake Drive, West Main Street at Park Road and Old Chapin Road, and Columbia Avenue at Butler Street.

**TRAFFIC UPDATE**

Mayor MacDougall stated that he would give the Traffic Report. He expressed his sympathy to Mayor Pro-Tem Livingston and her family in the recent loss of her mother. Mayor MacDougall gave a brief traffic update. Work for Phase I of the Adaptive Signal Project continues as the contractor is installing fiber communications between each signal. The next Traffic Committee meeting will be on January 26, 2016 at 8:00 a.m. in the Third Floor Conference Room at Town Hall. Citizens were encouraged to call 359-1027 if they were aware of a traffic signal issue, unsafe roadway situation, or a pot hole 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.

1. Final Reading of an Ordinance Annexing Lexington County Tax Map #5496-04-004 Located at 142 Industrial Drive.
2. Final Reading of an Ordinance Annexing Lexington County Tax Map #4496-01-001 Located at 5236 Sunset Boulevard.
3. Final Reading of an Ordinance Annexing Lexington County Tax Map #4319-02-007 Located at 104 Hamilton Street.
4. Final Reading of an Amendment to the Zoning Ordinance Setback and Buffer Requirements for Large Commercial Centers.
5. Final Reading of a Lease with Verizon for Equipment on a Water Tower.

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 Shevchik for **Final Reading Approval of an Ordinance Annexing Lexington County Tax Map #5496-04-004 Located at 142 Industrial Drive.** Councilmember Stambolitis asked about the purpose of the annexation. Town Administrator Poole responded that the owner wished to hook on to the Town's water system in that their well contained contaminants. The motion was unanimously carried by all those present.
2. A motion was made by Councilmember Stambolitis and seconded by Councilmember Shevchik for **Final Reading Approval of an Ordinance Annexing Lexington County Tax Map #4496-01-001 Located at 5236 Sunset Boulevard.** Councilmember Maness asked if the same business was coming to the location near her neighborhood. Director of Planning, Building and Technology Hanson responded that the exact business that was mentioned in the Planning Commission meeting is not going to be on that site, but the site where the church is located is still going to be developed as a shopping center.

Councilmember Stambolitis asked if the development was going to have a 70 foot buffer since it is close to the Hope Ferry neighborhood. He asked if it was to be a natural buffer with landscaping and would it be protected from noise. He wanted to make sure that the neighbors were not disturbed as had happened in the past. Director of Planning, Building and Technology Hanson confirmed that the development would have an undisturbed 70 foot buffer. He added that noise would be fall under the Town's Noise Ordinance, which is the same regulation as garbage collection. He stated that before a permit is issued they would also review the lighting plan. Town Administrator Poole added that this was an approved site plan by the Planning Commission. He stated that the citizens from Hope Ferry were involved in that process and received answers to their questions from the developer. Councilmember Stambolitis apologized if he was going over treaded territory, but he also wanted to know if construction plans had been submitted and did it include deceleration lanes because he was concerned about traffic. Director of Planning, Building and Technology Hanson confirmed that access points are already in existence and there is a decel lane on Sunset at Walgreens. He added that a traffic plan had been approved by the Town's Transportation Director Edwards.

Councilmember Shevchik wanted to confirm that the Hope Ferry residents were good with this plan. Director of Planning, Building and Technology Hanson stated that he felt sure they would rather it be woods, but there were involved with the process, were present at the Planning Commission meeting, and they are okay with the project.

Councilmember Maness thanked her fellow Councilmembers for their concern regarding her neighborhood. She stated that the developers had met with her neighborhood and Mr. Hanson came in on a Town holiday to help answer questions. She added that since then the project to be located on the church

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property had changed. She understood that it is not going to be a Hobby Lobby. She asked if that was not going to happen would the new project go back to the Planning Commission. Director of Planning, Building and Technology Hanson responded that if there is not a change to the site plan, it would not have to go back to the Planning Commission. He added that if the project fits into General Commercial zoning it would be allowed. He stated that if the project changed, such as square footage or add another curb cut, then it would have to go back to the Planning Commission. Director of Planning, Building and Technology Hanson stated that the advantage to this project is that they are not adding any additional curb cuts. He added if the project was to shrink and not include the church property and at a later date McDonald's or something like that wanted to go there, it would require another curb cut on Sunset Blvd. He stated that master planning a large piece of property is more beneficial to the Town from a traffic stand point. He added that the developer had an idea that they were going to get a specific business, but they are still planning to go ahead with the project but they do not know the exact business at this time. Councilmember Maness asked if the developer had started with the development on Sunset and Hope Ferry because she had complaints this weekend about how much had been cut and if the 70 foot buffer was there. Director of Planning, Building and Technology Hanson stated that the developer had not submitted anything to him in order to obtain a permit. Councilmember Maness asked Mr. Hanson to check on it tomorrow and she would forward some photographs to him. Councilmember Stambolitis stated that they could not disturb the property until they had a permit. Mr. Hanson responded that they could do some clearing for surveying. Mayor MacDougall stated that a track hoe had to be used because it was so thick and that caused a lot of concern. Councilmember Williams confirmed that by consolidating both properties the developer had taken the steps to condense the runoff to one holding pond which is a benefit. Mr. Hanson agreed.

Mayor MacDougall called for the vote. The motion to approve Final Reading of an Ordinance Annexing Lexington County Tax Map #4496-01-001 Located at 5236 Sunset Boulevard was unanimously carried by all those present.

3. A motion was made by Councilmember Shevchik and seconded by Councilmember Carnes for **Final Reading Approval of an Ordinance Annexing Lexington County Tax Map #4319-02-007 Located at 104 Hamilton Street.** The motion was unanimously carried by all those present.
4. A motion was made by Councilmember Carnes and seconded by Councilmember Williams for **Final Reading Approval of an Amendment to the Zoning Ordinance Setback and Buffer Requirements for Large Commercial Centers.** The motion was unanimously carried by all those present.
5. A motion was made by Councilmember Williams and seconded by Councilmember Stambolitis for **Final Reading Approval of a Lease with Verizon for Equipment on a Water Tower.** The motion was unanimously carried by all those present.

**NEW BUSINESS**

1. **Approval of Contract for Public Defender Services:** Recently the Town put out an RFP for a Public Defender to represent indigent defendants in the Town of Lexington Municipal Court. Several bids were received, and after careful review Mr. Ola Johnson was selected as the successful bidder. Council was provided a copy of the contract for Mr. Johnson for approval, which included a one-year term and a salary cap of \$24,000. (Copy attached.)

A motion was made by Councilmember Maness and seconded by Councilmember Carnes to approve the contract for Public Defender Services for Mr. Ola Johnson as submitted. The motion was unanimously carried by all those present.

**ANNOUNCEMENTS**

**Councilmember Carnes** expressed Council's condolences to Mayor Pro-Tem Livingston in the recent loss of her mother, Earline Holley. He wished everyone a Happy New Year and a prosperous 2016. He wished Councilmember Shevchik a Happy Birthday today. Councilmember Carnes made the following announcements: (1) Congratulations again to Interactive Data Visualization, Inc. for their Emmy. (2) Town Hall will be closed January 19<sup>th</sup> in observance of Martin Luther King Day. (3) Council will meet on Tuesday, January 19<sup>th</sup> for Council's Work Session. (4) The Planning Commission will meet again on January 20<sup>th</sup>. (5) The Traffic Committee will meet on January 26<sup>th</sup>. (6) Mayor MacDougall will present the State of the Town at Council's February 1<sup>st</sup> meeting at 6:30 p.m.

**Councilmember Stambolitis** wished his mother a Happy Birthday.

**Councilmember Shevchik** announced that Ellis Avenue was paved approximately 2 weeks ago. He added that it had been a private road and therefore not the Town's responsibility, but it had been worked out to turn the road over to the Town. Councilmember Stambolitis thanked Town Administrator Poole and Municipal Attorney Cunningham for their work to get Ellis Avenue paved. He added that the goal was to pave all of Ellis Avenue. Town Administrator Poole agreed and stated that they were waiting to hear from the Federal Government due to the Post Office being located at Ellis Avenue. He added that the funds to pave Ellis Avenue were from C funds provided by Lexington County.

**PUBLIC COMMENTS:** None.

**NEWS MEDIA QUESTIONS:** None.

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**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 Maness and seconded by Councilmember Shevchik to adjourn the Council meeting.

The Regular Council meeting was adjourned at 7:10 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.*