

MINUTES
Town of Lexington
Executive Session
COUNCIL WORK SESSION

January 17, 2012

Town Council held an Executive Session followed by a Council Work Session on January 17, 2012 in the Eli Mack Sr. Room. The meetings were attended by: Mayor Randy Halfacre, Pro-Tem Hazel Livingston, Council Members Kathy Maness, Ted Stambolitis, Danny Frazier, Todd Shevchik and Steve MacDougall. Staff members present were: Town Administrator Britt Poole, Assistant Town Administrator Stuart Ford, Town Attorney Brad Cunningham, Police Chief Terrence Green, Director of Planning, Building and Technology John Hanson, Community and Economic Catalyst Johnny Jeffcoat, Utilities and Engineering Director Allen Lutz, Finance Director Kathy Roberts, Director of Parks, Streets and Sanitation Dan Walker, Events and Media Coordinator Jennifer Dowden, and Municipal Clerk Becky Hildebrand.

There were seven (7) citizens present and no reporters from the news media.

EXECUTIVE SESSION REPORT

Mayor Halfacre reported that the *Executive Session* was called to order at 5:16 p.m. after a motion was made by Mayor Pro-Tem Livingston and seconded by Councilmember MacDougall to go into *Executive Session*. The motion was unanimously carried by all those present. (Councilmember Shevchik was absent for the vote.) Council adjourned from *Executive Session* at 6:28 p.m. after a motion was made by Councilmember Shevchik and seconded by Councilmember MacDougall. The motion was unanimously carried. Mayor Halfacre reported that Council met in *Executive Session* to discuss: one economic development matter with Mr. Bert Dooley; one routine personnel issue; and no other legal matters. No vote was taken. A motion was made by Mayor Pro-Tem Livingston and seconded by Councilmember Maness to ratify the Mayor's *Executive Session* report. The motion was unanimously carried.

INVOCATION, PLEDGE OF ALLEGIANCE AND CALL TO ORDER: Mayor Halfacre introduced the Council Members and welcomed everyone to the Council meeting. He apologized for the late start of the meeting. Mayor Halfacre gave the invocation. Councilmember Maness led in the Pledge of Allegiance. Mayor Halfacre called the meeting to order at 6:30 p.m.

PRESENTATIONS

1. **Mr. Ken Prince, CPA, Brittingham, Brown, Prince and Hancock, LLC – FY2011 Comprehensive Annual Financial Report:** Mr. Prince thanked the Council for allowing him the opportunity to conduct the annual audit. He also thanked Finance Director Roberts and the Finance Department staff for all their hard work preparing the 2011 CAFR. Mr. Prince wished to address the audit and

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offered that questions could be submitted and answered at a later time. He stated their opinion of the Town's financial statements is based on their audit. Their findings concluded that there were no material weaknesses. In summary: Town's assets were \$92.8M (an increase of \$5M) and exceeded its liabilities at year end June 30, 2011. Governmental activities contributed \$1.67M and business-type activities contributed \$3.37M. Of the total assets, \$19.5M was unrestricted and available to meet the ongoing obligations and operations of the Town. Government Funds were \$4.3M, an increase of \$437,644 compared to the prior year. Approximately \$2.7 (or 64%) of the ending fund balance, is available for spending at the government's discretion. The General Fund unassigned fund balance was \$4.3 (54%) of total fund expenditures, an increase of \$418,000 over last year. The Town had \$63.6M in bonds, notes, contracts and capital leases, a decrease of \$512,842 from the prior year. Mr. Prince stated that the Town is financially responsible and budget conscious.

Mayor Halfacre stated that based on the numbers, the Town was in pretty good shape, even during a downed economy. He thanked the Finance Department staff for their yeoman efforts. He later asked Mr. Prince to come back to Council's February Council meeting in order to share the good numbers so the citizens could hear it. Councilmember MacDougall stated that the numbers were fantastic. Councilmember Stambolitis congratulated the Finance Department and asked if the Town's Bond rates could be reduced. Finance Director Roberts responded that it can take a while to get an improved rate. She added that the Town would soon look at a Bond Anticipation Note to refinance.

2. **Ms. Jenn Blackwell – Library Hill Lane Maintenance:** Ms. Blackwell and two other business owners asked Council to help them clear up several on-going issues with the road in front of their businesses which are located directly behind Fatz Café. She gave Council a map to help indicate the location of the road (Library Hill Lane). (Copy attached.) Ms. Blackwell gave a brief history of buying her business, being taxed on the road, which was later refunded by the County and declared a driveway. Her business is located in a two unit complex containing ten businesses. She stated that Thornhill apartments are located at the end of the road and they have 191 units with approximately 350 residents. Her concern was the amount of traffic on the road which does not have a speed sign, a stop sign, or a yield sign. She stated that a lot of children are in the area, including traffic to the library. She added that traffic leaving Fatz' Café also use the road as an exit to come back to the light on Highway 1. She stated that recently the road has become a place for drag racing. Ms. Blackwell would like for the Town to take over the road for maintenance purposes and liability and they are willing to work together to make the road safer. She stated that Ted McGee was the developer of the property where her business is located. All three business owners present stated that they did not know that they would be required to maintain the road when they purchased their businesses. The business owners recommended that the Town take the road over.

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Town Administrator Poole stated that the road is a private road as developed by Mr. McGee. He added that the Town is forbidden to take over a road that is non-compliant. Mr. Walker added that the road was actually part of the parking lot as a flag lot and Mr. McGee needed access for five buildings. Councilmember Frazier stated that Thornhill and Fatz should help with the road repair. He added that they should also contact George Hollingsworth. Mayor Pro-Tem Livingston stated that the Town needs to review the property again because of the way traffic is routed to that area. She asked Chief Green to do a 7 day (weekends included) traffic study since one was not done since 2009. She asked the Town Attorney to complete a title search to determine how the property is deeded and how the easements are listed. Mayor Halfacre thanked the business owners for bringing the issue to Council's attention. He added that he appreciated their remarks about wanting to be good neighbors and they want to help resolve the problem.

BUSINESS ITEMS: (For Discussion and Recommendation for Council Meeting on February 6, 2012.)

1. **Rental Fee Waiver Request for the Dickerson Center for Children – Events and Media Coordinator Jennifer Dowden:** Ms. Mollie Taylor with the Dickerson Center for Children requested a rental fee waiver for the Conference Center on February 18, 2012 for their third annual gala and auction. The center is located in West Columbia; therefore the out-of-town rate would apply. The total fee waiver would be \$1,000.00 and a \$250.00 refundable deposit would still be required. The request from Ms. Taylor stated: *“We are requesting as we did last year that you give consideration to waiving the rental fee for our Annual Mardi Gras Gala benefitting the Dickerson Center for Children to be held on February 18, 2012. 100% of all profits from this event go directly to the Center. The Center assists children and their families where abuse, both physical and sexual, has occurred by providing assessments, forensic interviews, forensic examination and therapy. We thank you in advance for this consideration.”*

A motion was made by Councilmember Maness and seconded by Councilmember Stambolitis to place the item on Council's February 6, 2012 agenda for consideration. The motion was unanimously carried.

2. **National League of Cities Service Line Warranty Program – Assistant Town Administrator Stuart Ford:** The National League of Cities (NLC) teamed with Utility Service Partners, Inc. (USP) to offer member cities a Service Line Warranty Program. If the Town elects to participate, USP would have the opportunity to market the Warranty Program to our customers. For a monthly fee ranging from \$4 - \$6, the Warranty would cover repairs and replacement of service lines which are not the Town's responsibility. USP would pay for the repairs, utilize local contractors, make repairs to code, and have customer service available 24/7. USP would also agree to pay the Town 10% of revenues generated by the program. We have contacted two comparable cities in North Carolina that started the program in 2011. Each gave the program high marks and recommended participation. The

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Town would assist USP marketing and give approval to the marketing materials that would be associated with the Town. (Copy of letter attached.)

A motion was made by Mayor Pro-Tem Livingston and seconded by Councilmember Frazier to place the item on Council's February 6, 2012 agenda for consideration. Mayor Halfacre compared the program to the SCE&G Service Care program. Councilmember Maness stated that there is no age limit for the service. Town Administrator Poole confirmed that staff had checked out the program with positive results. He added that it is difficult to get NLC to back a program. He also liked the fact that local vendors, such as plumbers, electricians, etc. are used. The motion was unanimously carried.

- 3. Town Dog Park – Parks, Streets and Sanitation Dan Walker:** At the October 2011 Work Session, Council and Staff discussed the addition of a dog park to the Town's park system. The park's placement on Town-owned property facing South Church Street and abutting Virginia Hylton Park was a consideration. (Copy attached.) Mr. Walker added that the proposed location would be approximately 3 acres, it would be fenced in, and the dog park could be accessed through Virginia Hylton Park. Council's consideration was requested regarding the proposed location or another location and if they wanted to develop pricing.

Councilmember Maness stated that she did not want the park so close to the Palmetto Collegiate Institute. Councilmember Stambolitis stated that he would like to see a dog park installed but pricing would be needed prior to a decision. He recommended that the dog park start with one acre and then expand if necessary. He also wanted to make sure there would be ample parking. Mayor Pro-Tem Livingston did not want the dog park coming all the way to the street. She also confirmed that there is a pond on the Clark property portion of the proposed park and there are no sidewalks in place at this time. She also stated concern for children if a dog got out of the park. Councilmember Frazier suggested that there was some Harmon property near Twelve Mile Creek that Ben Kelly had mentioned donating to the Town. He added that a portion of it was wetlands. Mayor Halfacre stated that a lot of people in Town are interested in a dog park. He added that NLC had also provided research which stated that dog parks help bring the community together in that they are gathering points and residents meet and talk while their dogs run and play. He liked the idea of the park with three acres and access from Virginia Hylton Park. He suggested moving the project with warped speed. Councilmember Shevchik stated that he has seen some dog parks around with limited access. He did not think anyone would be in danger and he recommended moving forward to determine pricing and a clear location. Mr. Jeffcoat stated that Saluda Shoals has a dog park which has been very successful and may be a good resource for information. Town Administrator Poole confirmed that the house on the proposed property is not movable. He added that another house on Town property was auctioned off for \$1,100, but that would not be possible with the proposed location. He recommended that staff develop a plan, including costs, and

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bring it back to the next Council Work Session. It was the consensus of Council to bring the item back to Council's February Work Session.

4. **Speed Bumps in Willowbrooke Subdivision – Director of Parks, Streets and Sanitation Dan Walker:** Mr. Ronald Herrygers, representing the Willowbrooke HOA, requested that the Town install two speed bumps in the subdivision. (Email and map attached.) The streets are Town-owned and require approval from Council. Mr. Walker confirmed that speed bumps were preferred over speed humps.

Mr. Keith Frost, a resident in Willowbrooke, stated that the issue was discussed at a homeowners meeting and the idea was rejected by many of the residents. He added that speed bumps were not the solution to the problem. He stated that children should be kept out of the streets and that is a parent problem. Mr. Frost stated that his homeowners association would meet again on Thursday and he would recommend that the speed limit be reduced in the neighborhood. Mr. Frost stated that the homeowners can only make a request regarding speed bumps, but it is Council's decision.

Mayor Pro-Tem Livingston recommended that after the homeowners' meeting, the request should go to the Traffic Committee first.

5. **Dixie Youth Championship Signs – Director of Parks, Streets and Sanitation Dan Walker:** Mr. Gene Fry, Coach of the Lexington Dixie Youth 2010 World Series Champions requested that the Town place signs commemorating the championship on Town Limit signs on US Highway 1, Highway 378 and Highway 6. (Copy of proposed sign attached.) The Town would need to get an encroachment permit from SCDOT. The cost to the Town would be approximately \$100 per sign.

A motion was made by Councilmember Frazier and seconded by Councilmember Maness to place the item on Council's February 6, 2012 for consideration. Town Administrator Poole stated that the Town had held off any decisions about Town Limit signs until the new welcome signs at Highway 378 and I-20 were approved by Council. Mayor Halfacre stated that some of the existing signs are old and he would like to see them replaced now and adjust them to the new Town limits. Councilmember Stambolitis stated that the current signs are haphazard and are outdated. Mr. Poole stated that the new welcome signs would include keystone and smaller signs could be constructed using that design. He added that the Town could then budget for the additional signs. Councilmember Maness stated that Council had not seen the design in a long time. Mr. Poole confirmed that the Dennis Corporation has the sign now. Mayor Pro-Tem Livingston stated that SCDOT plays a big part in how a sign could be designed, the bidding process and overseeing the project. She added that a stone based sign with the Town's logo is low maintenance and would not weather. The motion was unanimously carried.

FOR YOUR INFORMATION

1. **Emergency Procurements – Finance Director Kathy Roberts:** A summary of emergency purchases made in the fourth quarter of 2011 were submitted to Council to accept as information and direct the summary be recorded in the minutes of this Work Session. (Summary attached.)

Councilmember Frazier addressed \$10,307.87 spent in November 2011 on the Corley Tract pump repair because a Master Electrician was required due to a grounding issue. He recommended that the Utilities Department hire a Master Electrician in order to save money. He added that the Town's Utility Department does a great job, but with the growing large scale water and sewer systems, there would be an increased need for a Master Electrician since most of the pumps have issues. Utilities Director Lutz stated that the pumps usually have seal failure and water gets in, but this particular incident was due to a grounding problem. He added that the Mungo Corporation had completed the original installation and the Town inherited it. He was not aware of any others at this time with similar issues. Councilmember Stambolitis disagreed with paying a full-time person compared to contracting someone on a needs basis.

2. **Farmers Market 2012 Season Discussion – Town Administrator Britt Poole:** The Town of Lexington's Farmers Market is in need of a new location, due to the expiration of the lease agreement with Mr. Bert Dooley and the Sessions property. Possible locations include the Shoe Box and the former LICS Building, both owned by the Town. These locations provide the opportunity for an indoor market, ample parking, are located in close proximity to the former market, making it easier for patrons to discover. Determining a location is necessary in order to establish the market schedule, booth/table fees, staff participation, and potential upgrades, etc.

Town Administrator Poole added that it would cost approximately \$1,000 to prepare the building (Old Shoe Box) on Butler Street for the Farmers Market. He stated that there would be parking and access from Highway 6 through the old LICS property. Mr. Poole stated that the building has heat and air and vendors would be allowed to leave their set ups in the building, with the exception of the plant vendors, who may prefer to be outside. He stated that once the location was set up, it would only require one staff member to run it. He added that last year, Jennifer Dowden and several members of the Parks Department were present at each market date in order to set-up tents and tables and monitor the event.

Mayor Halfacre thought the location was fantastic idea. He would like to see the market open every Saturday and it could be like the market on Whaley Street. Councilmember Frazier liked the idea and confirmed that the Town Ordinance may have to be modified to allow food vendors. Mr. Jeffcoat stated that he thought it was a great idea and part of the Vision Plan.

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3. **Council Liaisons to Boards and Commissions – Mayor Randy Halfacre:**
Mayor Halfacre requested that the item previously on Council’s agenda be updated for consideration.

COUNCIL COMMENTS

Mayor Halfacre stated that Lexington County Council Chairman, Bill Banning, would like to hold a joint retreat with all Municipal Councils to discuss various issues and planning. Lexington County Council’s retreat will probably be in March and the joint meeting may be on a Saturday for several hours. He hoped that most of the Town Council members could attend. Mayor Halfacre stated that it was imperative that all Council members attend the Town’s Vision Plan retreat, also in March. He added that both Councils were trying not to meet in April since the Masters and the Heritage were held that month. He recommended that the location for Town Council be somewhere that was reasonably priced, with few distractions since it is a valuable meeting to network with staff. Mayor Halfacre stated that Council was also invited to Lexington County Night on February 1st, hosted by Richard Davis, Capital Consultants.

Mr. Poole confirmed that the Town Council retreat was scheduled for March 25th, 26th and 27th and reservations were on hold for a location in Clemson. Mr. Poole stated that the retreat would start on Sunday with travel time and a reception followed by a full day on Saturday and a half day on Sunday. He added that the retreat would be held to discuss the Town’s Vision Plan, and include several staff members, at a location with few distractions. He stated that the date was also available for The Boudreaux Group to attend.

Mayor Pro-Tem Livingston asked if the County could change the date and possibly meet the end of February. Councilmembers Frazier, Maness and Stambolitis did not want to go to the Clemson location. Councilmember Frazier suggested Asheville, Kiawah or Charleston. Mr. Jeffcoat suggested several other locations that had been previously used by County Council and were reasonably priced. Ms. Dowden stated that she would check into Fort Jackson, Buckridge in Orangeburg, Aiken, Santee, Rock Hill, Newberry, and Greenwood as well as all other locations that were recommended. Councilmember MacDougall stated that he preferred to not spend a lot of money to hold a retreat. Mr. Poole stated that they would check into all the locations and get back with Council.

Mayor Halfacre stated that he sensed after the meeting with Mr. Dooley that the Downtown Merchant group thought the Town was not doing enough regarding Main Street revitalization. He added that the plan submitted by Mr. Dooley was not the Town’s plan, nor did he want the Town to look like the bad guy. He added that the Town’s Vision Plan is not a revitalization plan, but it is like a crystal ball for future planning. He recommended that Mr. Jeffcoat attend the next meeting of the Downtown Merchant group.

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Councilmember Stambolitis discussed traffic concerns including traffic issues at Corley Mill and a letter submitted by the Town's Traffic Committee. Mayor Pro-Tem Livingston stated that the Town can only express their opinions to SCDOT regarding improvements and the letter was submitted as information. Mayor Halfacre confirmed that Corley Mill Road is a partnership with the Lexington One School District (\$1M), Lexington County (\$900,000) and the Town (for relocation of lines), but SCDOT was not yet at the table. He added that if the school is scheduled to open in 2013, the traffic issues need to be resolved and did not require input from the Town's Traffic Committee. Mr. Jeffcoat stated that it is a state road and the school district is paying for the design work. Mr. Poole confirmed that he has not seen the final plans. The proposal had a traffic circle and routes traffic to the light. He added that the engineer had reviewed bringing traffic to the new light at Northside Baptist Church, but the cost was too high. Mr. Poole stated that the law only requires an impact study on property that is touched by a proposal. Councilmember Stambolitis stated that individuals are required to obtain a large impact study on private projects. Councilmember MacDougall stated that he was told the proposed plan is not perfect, but an affordable solution.

Councilmember Shevchik stated that the Town's Virginia Hylton Park had been voted Best Park three years in a row by Lexington Life magazine readers. He also inquired about the best course of action to get roads in his neighborhood paved. Mr. Poole stated that it had been approximately 5 years since the Town had analyzed those roads, but they could look at it again and get pricing.

Council discussed several other future events including a Lake Murray Dam event to continue to help bridge the Irmo and Lexington communities and the Annual Wine Walk.

STAFF COMMENTS

Economic Development Catalyst Jeffcoat stated that he and Mr. Poole met recently regarding the Vision Plan and a draft will be ready for Council to review prior to the retreat.

QUESTIONS FROM THE NEWS MEDIA: None.

PUBLIC COMMENTS: None.

ADJOURNMENT: There being no further comments or questions, a motion was made by Councilmember Stambolitis and seconded by Mayor Pro-Tem Livingston to adjourn the Council's Work Session at 8:20 p.m. The motion was unanimously carried.

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Respectfully submitted,

Becky P. Hildebrand, CMC
Municipal Clerk

APPROVED:

Randy Halfacre
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.