

MINUTES
Town of Lexington
Executive Sessions
COUNCIL WORK SESSION
May 21, 2012

Town Council held an Executive Session followed by a Council Work Session on May 21, 2012 in the Eli Mack Sr. Room. Council also met for a Budget meeting followed by a Special Council meeting. The meetings were attended by: Mayor Randy Halfacre, Mayor Pro-Tem Hazel Livingston, Council Members Kathy Maness, Ted Stambolitis, Danny Frazier, and Steve MacDougall. Councilmember Todd Shevchik was absent. 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, Utilities and Engineering Director Allen Lutz, Finance Director Kathy Roberts, Assistant Finance Director Laraine Wieder, Director of Parks, Streets and Sanitation Dan Walker, Events and Media Coordinator Jennifer Dowden, and Municipal Clerk Becky Hildebrand.

There were four (4) citizens present and no reporters from the news media.

EXECUTIVE SESSION REPORT #1

Mayor Halfacre reported that the *Executive Session #1* was called to order at 5:23 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. Council adjourned from *Executive Session* at 6:25 p.m. after a motion was made by Councilmember Maness and seconded by Councilmember Stambolitis. The motion was unanimously carried by all those present. Mayor Halfacre reported that Council met in *Executive Session* to discuss: one personnel matter; two pending legal matters and two contractual issues related to economic development. No vote was taken. A motion was made by Mayor Pro-Tem Livingston and seconded by Councilmember MacDougall to ratify the Mayor's *Executive Session* report. The motion was unanimously carried by all those present.

INVOCATION, PLEDGE OF ALLEGIANCE AND CALL TO ORDER: Mayor Halfacre introduced the Council Members and welcomed everyone to the Council Work Session. Councilmember Maness gave the invocation. Councilmember MacDougall led in the Pledge of Allegiance. Mayor Halfacre called the meeting to order at 6:36 p.m.

BUSINESS ITEMS: (For Discussion and Recommendation for Council Meeting on June 4, 2012.)

1. **Moving Message Sign – Director of Planning, Building and Technology John Hanson:** Staff was asked to develop a possible revision to the Town's Sign Ordinance that could allow automated changeable copy signs primarily for use by

MINUTES
COUNCIL WORK SESSION
May 21, 2012

area gasoline service stations. The attached sign revisions were constructed with the intent to allow a movable sign similar to the one included with the meeting materials. If Council wished to move forward on this type regulation, it could be taken to the Planning Commission meeting on Wednesday for their recommendation. (Draft revision attached.)

A motion was made by Councilmember Maness and seconded by Mayor Pro-Tem Livingston to place the item on Council's June 4, 2012 agenda following a recommendation from the Planning Commission. Mayor Pro-Tem Livingston stated that she had been asked to look at the sign at Murphy's. She added that she could not tell that the sign was mechanical because of the design. She stated that the difference was the sign could be changed from inside the store instead of someone changing the numbers on the actual sign. Mayor Pro-Tem Livingston stated that she did not want to change the sign ordinance, but after looking at the sign she was okay with it. She added that she still does not want tall, flashing, moving signs and no LED or LCD. She asked that if the revision was consider that signs be limited to being changed only once a day and she would consider every 12 hours. She further stated that this is a big step and she was not opposed to moving into the future, but she did not want to change everything in the Sign Ordinance. Mayor Halfacre stated that at some point, the Town would have to move into the 21st century. Mr. Hanson stated that a similar sign is at the Murphy's station in Irmo and you could not tell that it was mechanical. He compared it to looking at an old style digital clock. He added that if the revision was approved, it would apply to anyone who wanted this type of sign. Councilmember MacDougall stated that the limitation on how often the signs could be changed could be set by the ordinance. He added that such signs should be restricted. The motion was unanimously carried by all those present.

- 2. Rental Fee Waiver Request SC Small Business Development Center – Events and Media Coordinator Jennifer Dowden:** Mr. Pete Oliver of The South Carolina Small Business Development Centers (SBDC) requested a fee waiver for the use of the Town Conference Center Suite B for two events. The purpose of this group is to help entrepreneurs expanding an existing business or starting a new enterprise. This is done by providing free consulting, low-cost seminars and links to resources. The SBDC is managed from the State Director's office located at the Moore School of Business at USC. Mr. Oliver requested June 6, 2012 and June 13, 2012. Following is a list of the values for the SBDC events:

Conference Center Suite B (6/6/12 and 6/13/12)
\$1,600.00 (Out of Town Rate \$800 x 2)
Deposit of \$250 would still be required.

A motion was made by Councilmember Stambolitis and seconded by Councilmember Frazier to place the item on Council's June 4, 2012 agenda

MINUTES
COUNCIL WORK SESSION
May 21, 2012

for consideration. Mayor Halfacre confirmed that the event is the first to be held in this area and affiliated with the Moore School of Business. He compared it to a similar program recently held at Town Hall by Midlands Technical College. The motion was unanimously carried by all those present.

3. **Sanitary Sewer Agreement Takeover Contract Amnesty – Town Administrator Britt Poole:** The Town allows purchasers of Capital Contribution Certificates under Sanitary Sewer Agreements to enter “takeover contracts” by which the purchasers assume responsibility (usually from the developer) for the required monthly minimums for the certificates purchased. When a takeover contract is in place the owner of a sewer certificate who keeps their account current is allowed to construct and obtain service without restrictions so long as their account remains current. Many purchasers acquired their certificates prior to the Town instituting the takeover contract procedure and still others have not been offered the option by developers. In order to encourage development and to give all holders of certificates the opportunity to enter a takeover contract, it has been proposed that the Town allow certificate holders the chance to enter takeover contracts by bringing in any past due amount currently related to their certificate(s). The policy is for a limited time so that those eligible for a takeover contract will have no incentive to delay. (Draft provision attached.)

A motion was made by Councilmember Frazier and seconded by Councilmember Maness to place the item on Council’s June 4, 2012 agenda for consideration. Councilmember Frazier thanked Staff for working on this item and for Council’s open-mindedness during this 30-day period in order to help developers. He stated that he had been called on a number of projects and this policy would allow them to get started. Councilmember Frazier asked if exceptions could be made for those that were ready to come in now. Mayor Halfacre agreed with the policy and asked if it should be for 60 days. Town Administrator Poole explained that the 30 day period would begin July 1, 2012; therefore, the Town would still have time to get the word out following the June 4, 2012 Council meeting. He cautioned on extending it past 30 days and it should be a defined period of time. He suggested that several associations be contacted to help. The motion was unanimously carried by all those present.

4. and 5. **Municipal Capital Projects Tax Legislation and Time Line Thresholds and Project Identification – Mayor Randy Halfacre:** Council was given a brief overview of the Municipal Capital Project Tax Legislation and they were asked to help contact any Representatives to ask for their support on the bill which goes before the Ways and Means Committee Wednesday. Mayor Halfacre hoped it would pass this session. He stated that the Town of Lexington needs the 1¢ tax to help improve traffic in Town. He added that this is the only way to avoid a property tax increase because the Federal Government is broke and the State opposes the bill. Mayor Halfacre stated that the citizens could vote on the Capital Projects Tax which

MINUTES
COUNCIL WORK SESSION
May 21, 2012

could be primarily used for roads and some for parks and a Farmers Market. He stated that the County Association lobbyist spoke against the bill; Bill Banning spoke in favor of the bill on behalf of Lexington County Council; and MASC remains neutral on the issue. Mayor Halfacre stated that Kenny Bingham is behind the bill as well as Harry Ott. He added that this is not a hospitality tax, which cannot be used for roads. Mayor Halfacre stated that the Town's roads are in subdivisions and this capital project tax could be bonded to bring in the money to repair roads. He confirmed that if it did not pass this session, it could still be done in 2014. He added that Staff had already been asked to start some projects. Mayor Halfacre stated that Bob Peeler and Bill Banning were working on the bill for the entire State. He added that Towns with the hospitality tax would transition to the capital projects tax because it could be used for roads and citizens could vote on it.

6. **Press Conference Wednesday at 10:00 a.m. for Economic Development Announcement – Mayor Randy Halfacre:** Mayor Halfacre announced that a press conference would be held May 23, 2012 announcing a huge economic development for the Town. He stated that it was recently discussed at Council's retreat and thanks to the Council and Staff the details have been worked out. Mayor Halfacre stated that the company owners were looking to locate in Richland County, but when they visited with Chief Green and our Police Department, they felt their high tech company would have better security in Lexington. Mayor Halfacre was not aware of any company ever locating because of a Police Department.
7. **Golden Hills Tax District Vacancy – Assistant Town Administrator Stuart Ford:** Ms. Susan Amick submitted her letter of resignation as a Town representative on the Golden Hills Special Purpose Tax District Commission. Mr. Kenneth Siegfried was recommended as a replacement. A Talent Bank application was submitted for review. (Copy attached.) Upon Town Council's recommendation, Mr. Siegfried will be submitted to the Lexington County Council for approval as one of the three representatives for the Town of Lexington.

A motion was made by Councilmember Maness and seconded by Councilmember Stambolitis to place the request on Council's June 4, 2012 agenda for consideration. Mayor Halfacre stated that Mr. Siegfried is very qualified. Councilmember Stambolitis stated that Mr. Siegfried is a good man. The motion was unanimously carried by all those present.

COUNCIL COMMENTS

Mayor Halfacre directed everyone to page 56 of the US Air article which included Lexington and also mentioned the Wine Walk. He stated that the ad was very attractive and was co-sponsored by Lexington County and the Lexington Chamber. He added that Forest Acres also had an ad in the magazine. Mayor Halfacre commended Councilmember Maness for serving as the President of Women in Municipal Government and for hosting their summer conference last week in Charleston. He

MINUTES
COUNCIL WORK SESSION
May 21, 2012

added that he attended part of the conference and it was great to have it in South Carolina. Mayor Halfacre asked Council to go back into Executive Session following all comments to discuss an update on an economic development issue.

Mayor Pro-Tem Livingston thanked everyone involved with the monument and Lexington Square during the past few weeks. She thanked Dan Walker, Johnny Jeffcoat, Pat Jeffcoat, County Council and Town Council for all their support.

STAFF COMMENTS

Police Chief Green presented a plaque from the Lexington County Law Enforcement Memorial Board honoring the Town of Lexington for being the first town to be a Diamond Sponsor and for donating money to the monument. Mayor Halfacre stated that the monument is beautiful and the show of support has been fantastic. He added that it worked well to move the dedication indoors last week.

PUBLIC COMMENTS

Mr. Scott Adams thanked Council for the fee waiver for the Small Business group. He added that it is a very exciting program.

Mayor Halfacre welcomed Frank Barron to the meeting.

ADJOURNMENT: There being no further comments or questions, a motion was made by Councilmember Stambolitis and seconded by Councilmember Maness to adjourn the Council's Work Session at 7:28 p.m. and to go into Executive Session to discuss an update on a contractual economic development matter. The motion was unanimously carried by all those present.

EXECUTIVE SESSION #2

Mayor Halfacre called the Executive Session #2 to order at 7:29. Council adjourned from *Executive Session* at 7:50 p.m. after a motion was made by Mayor Pro-Tem Livingston and seconded by Councilmember Maness. The motion was unanimously carried by all those present. Mayor Halfacre reported that Council met in *Executive Session #2* to discuss one contractual economic development update issue. 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 #2* report. The motion was unanimously carried by all those present.

Respectfully submitted,

Becky P. Hildebrand, CMC
Municipal Clerk

MINUTES
COUNCIL WORK SESSION
May 21, 2012

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.