

MINUTES
Town of Lexington
Executive Sessions and
COUNCIL WORK SESSION

November 19, 2012

Town Council held an Executive Session followed by a Council Work Session on November 19, 2012 in the Eli Mack Sr. Room. The meetings were attended by: Mayor Randy Halfacre, Mayor Pro-Tem Hazel Livingston, Councilmembers Kathy Maness, Todd Shevchik, Danny Frazier and Steve MacDougall. Councilmember Ted Stambolitis was absent (excused). Staff members present were: Town Administrator Britt Poole, Assistant Town Administrator Stuart Ford, Municipal Attorney Brad Cunningham, Police Chief Terrence Green, Utilities and Engineering Director Allen Lutz, Finance Director Kathy Roberts, Director of Parks, Streets and Sanitation Dan Walker, Events and Media Coordinator Jennifer Dowden, Grants Administrator Wesley Crosby, Assistant Municipal Clerk Karen Hanner, and Municipal Clerk Becky Hildebrand.

There were approximately four (4) citizens present for the Council Work Session. There was one member of the news media present.

EXECUTIVE SESSION REPORT #1

Mayor Halfacre reported that the *Executive Session* was called to order at 5:30 p.m. after a motion was made by Councilmember MacDougall and seconded by Mayor Pro-Tem Livingston to go into *Executive Session* to discuss three legal issues regarding an agenda item, the Sign Ordinance and Channel 2; and, two contractual issues related to an economic development on Main Street and the potential purchase of property; and one personnel matter related to Joint Water and Sewer Commission appointment. The motion was unanimously carried by all those present. (Councilmember Shevchik was not available for the vote.) Council adjourned from *Executive Session* at 6:05 p.m. after a motion was made by Councilmember MacDougall and seconded by Councilmember Maness. The motion was carried with a vote of four (4) in favor and two (2) opposed (Frazier and Shevchik). No vote was taken during the Executive Session. A motion was made by Councilmember Shevchik and seconded by Councilmember Maness to ratify the Mayor's *Executive Session* report #1. 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 Shevchik led in the Pledge of Allegiance. Mayor Halfacre called the meeting to order at 6:07 p.m.

PRESENTATIONS: None.

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BUSINESS ITEMS: (For Discussion and Recommendation for Council Meeting on December 3, 2012.)

1. **Pilgrim Point Street Lights – Finance Director Kathy Roberts:** For the past three years the Town agreed to pay a portion of the street light bill for Pilgrim Point residents. In accordance with the Town's Residential Street Light Ordinance, the Pilgrim Point Homeowner's Association requested that the Town again pay a pro rata share of their streetlight bill. (Copy of request letter attached.) There are 48 lots in Pilgrim Point and the Town Ordinance states that the Town would be responsible for one (1) street light per six (6) lots, which equals eight (8) lights. The total requested is \$1,669.00 ($\$17.39 \times 8 \times 12$). Funds would come from Parks, Streets and Sanitation budget, account #100-60-5520.

A motion was made by Councilmember Shevchik and seconded by Councilmember Maness to place the item on Council's December 3, 2012 agenda for consideration. Finance Director Roberts confirmed that the portion payment is not automatic and the Homeowner's Association has to request it. She added that there was not a request last year. Town Administrator Poole explained that in most neighborhoods the Town would take over the street lights, but since Pilgrim Point is a gated community and has a higher than standard street light, the Town agreed to pay the difference. The motion was unanimously carried by all those present.

2. **Reimbursement Resolution for General Obligation Bonds – Assistant Town Administrator Stuart Ford:** Town Council authorized the issuance of General Obligation Bonds and BANS to refinance the cost of acquisition of property on North Church Street and to fund road and other infrastructure repair and improvement projects. To provide maximum financial flexibility, we need to adopt a reimbursement resolution to allow for project costs incurred prior to issuance of a tax exempt BANs or Bonds to be repaid to the General Fund from proceeds of the BANs and/or Bonds. (Copy attached.)

A motion was made by Councilmember Shevchik and seconded by Councilmember MacDougall to place the item on Council's December 3, 2012 agenda for consideration as presented. Town Administrator Poole stated that he hopes to have a list of all the streets that need repair by the January Work Session. The motion was unanimously carried by all those present.

3. **Resolution Adopting Legislative Priorities for 2013:** The Municipal Association of South Carolina asked cities and towns to adopt the attached Resolution in support of its legislative priorities for 2013. (Copy attached.)

A motion was made by Councilmember Shevchik and seconded by Councilmember Maness to place the request on Council's December 3, 2012 agenda for consideration. Municipal Attorney Cunningham stated that the Resolution focuses on dilapidated structures, dependable revenue sources,

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quality transportation and infrastructure maintenance. The motion was unanimously carried by all those present.

4. **Event Policy – Municipal Attorney Brad Cunningham:** At the October Work Session, Town Council discussed whether to implement a new policy for special Events. It was requested that the policy be brought back to the November Work Session. The policy attempts to ease the financial burden on the Town when the Town's assistance is required at events which the Town does not sponsor. (Draft copy attached.)

A motion was made by Councilmember Shevchik and seconded by Councilmember MacDougall to place the item on Council's December 3, 2012 agenda for consideration. Town Administrator Poole explained that Staff could produce a request form for events in order to make a decision on each event. He added that the policy does not state approximately \$30.00 per hour per person for Staff coverage during a non-Town sponsored event. He stated that the Police Department would determine the number of Officers needed during an event and payment would be required prior to the event. Mayor Pro-Tem Livingston confirmed that some municipalities already have similar charges along with the Sheriff's office and Workers Compensation would still be paid. The motion was unanimously carried by all those present.

5. **Keeping Domestic Chickens in Residential Areas – Municipal Attorney Brad Cunningham:** Over the last few months Council discussed an ordinance to allow keeping domestic chickens in residential areas. The attached ordinance authorizes this activity on a limited basis. Council referred the item back to the Work Session earlier in the month for further discussion. (Draft copy attached.)

Ms. Melanie Jergan wished to speak in favor of residential chickens. She lives in Town and has visiting chickens, dogs and goats for pet-therapy for children and the elderly. She stated that she has lived in Town for six months and did not know about the ordinance. She stated that people who own animals take care of them and everyone has to be responsible. She stated that her neighbors love her animals. She stated that having the animals is pro-business in that supplies for them are purchased locally as well as vet care. She encouraged Council to vote in favor of the new ordinance so she could continue to help others.

Mayor Halfacre stated that he was ready to vote on the ordinance last time. Councilmember Maness stated that she was for the ordinance, but citizens had called her who were not in favor of it. She suggested as a compromise that if citizens did not take care of their chickens, that they would lose the right to keep them in a residential area.

A motion was made by Mayor Pro-Tem Livingston and seconded by Councilmember MacDougall to place the item on Council's December 3, 2012 agenda for consideration. Municipal Attorney Cunningham stated that the

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policy did not have any changes in it. The motion carried with five (5) in favor and one (1) opposed (Frazier).

FOR YOUR INFORMATION

1. **Town Software – Finance Director Kathy Roberts:** The Finance Department had been using American Data Group (ADG) software for the last 12 years for its financial, utility billing, and business license processes. The current software no longer meets the Town’s needs primarily due to changes in the Town’s requirements, increase in customers and inability of the current provider to keep up with changing technologies and platforms. It was to the Town’s advantage to acquire new financial software. In discussions with the Town Administrator and I.T. Manager, it made sense to consider a system that would provide a solution for all departments, not just Finance.

A Request for Proposals (RFP) was issued in December 2011. A committee made up of Staff from the Finance Department, Police Department, Building and Technology, Administration and Utilities evaluated the following responses.

Tyler Technologies	Could meet all requirements	\$396,914
CSI Technology Outfitters	Non-responsive	\$170,649
Edmunds and Associates	Non-responsive	\$314,550

Tyler Technologies was the only vendor that could provide a solution for all the needed applications. The final product will provide complete integration of the various departments onto one database. The committee voted unanimously for the Tyler Technologies solution. The Finance, Utilities, Business License, and Planning portions of the software are budgeted in FY2013 and the Police and Court Administration portions are budgeted in FY2014.

Councilmember Maness asked about the length of the process. Finance Director Roberts responded that each company did a demonstration and several Staff members made a site visit to Tyler Technologies in Georgia. She added that CSI is in South Carolina, but they did not have the police component. She stated that citizens would not see much of the system; it was more for connectivity between Departments which would leave less room for error since it would be one system instead of four. Town Administrator Poole explained how the Town protects their systems from hackers and the system is tested once a year. He added that the Town is 30 years ahead of the State in computer safety. He stated that Irmo uses the police portion of Tyler and West Columbia uses the financial package and have been very pleased with it. Mayor Halfacre stated that the system would allow the Town to remain just as transparent as the current practice.

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2. **Façade Improvement Grant Awards – Grants Administrator Wesley Crosby:** The Town of Lexington Board of Architecture and appearance met on November 13, 2013 and voted to award the following façade improvement grants:
- (1) New Brookland Associates received a \$5,000 award to complete a project at 121 East Main Street. The estimated value of the project is \$100,700.
 - (2) KCR Property, LLC received a \$5,000 award to complete a project at 101 East Main Street. The estimated value of the project is \$300,000.
 - (3) Old Mill, LLC received a \$5,000 award to complete a project at 711 East Main Street. The estimated value of the project is \$13,500.
 - (4) Wesley Rhoten received a \$5,000 award to complete a project at 720 East Main Street. The estimated value of the project is \$21,150.
 - (5) The Main Street Cafe received a \$5,000 award to complete a project at 131 East Main Street. The estimated value of the project is \$9,591.

The Town received 24 grant applications with a combined estimated amount of proposed construction of \$877,890. The amount of proposed work that will be supported through these grant awards is \$444,941.

Mayor Halfacre confirmed that Lexington Arms had submitted an application, but it was incomplete. He also confirmed that Main Street Café's request included new awnings and lighting because the blue needed to go. He added that the Façade Program came about during the Vision Plan and he would like to see the Town double the amount at mid-year budget adjustments since it was all about improving downtown. Town Administrator Poole stated that the Board did a lot of work on the project as well as Wesley Crosby and John Hanson. He added that it would have a large impact on improving downtown.

There being no further questions regarding the Façade Program, the information was accepted and directed to be recorded as part of the minutes of the Work Session.

3. **SC Municipal Insurance Trust Report Card – Municipal Attorney Brad Cunningham:** The Town of Lexington receives an annual risk assessment from the South Carolina Municipal Insurance Trust (SCMIT) to assess the Town's compliance with SCMIT's recommended guidelines for risk management policies and procedures. The assessment for 2012 was completed in July and, for three (3) years in a row, the Town received a perfect score by complying with 87 of 87 requirements with one extra credit item for three (3) additional points. The SCMIT Annual Meeting was held on November 15, 2012 at which time the Town was advised that its credit to the Worker's Compensation Insurance Premium (due to meeting all of the guidelines) would be \$41,700 in 2013. The Town was also

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recognized as one of only a handful of cities which scored above 100 percent on SCMIT's recommended compliance guidelines.

4. **Update on Lexington County Council and LCMA Strategic Planning Session – Mayor Randy Halfacre:** Mayor Halfacre encouraged everyone to come to the planning session to hear input from other elected officials and to learn how all the municipalities can work together for the good of the region.

QUESTIONS FROM THE NEWS MEDIA: None.

COUNCIL/STAFF COMMENTS: None.

PUBLIC COMMENTS: None.

ADJOURNMENT: There being no further comments or questions, a motion was made by Councilmember Maness and seconded by Councilmember Shevchik to adjourn the Council's Work Session at 7:04 p.m. The motion was unanimously carried by all those present (Councilmember Frazier was not present for the vote.)

EXECUTIVE SESSION REPORT #2

Mayor Halfacre reported that *Executive Session #2* was called to order at 7:05 p.m. after a motion was made by Councilmember Maness and seconded by Councilmember to go into a second *Executive Session* to discuss a personnel issue. The motion was unanimously carried by all those present. (Councilmember Frazier was not available for the vote.) Council adjourned from *Executive Session* at 7:22 p.m. after a motion was made by Councilmember Maness and seconded by Councilmember MacDougall. The motion was unanimously carried by all those present. (Councilmember Frazier was not available for the vote.) No vote was taken during the Executive Session. A motion was made by Mayor Pro-Tem Livingston and seconded by Councilmember Shevchik to ratify the Mayor's *Executive Session* report #2. The motion was unanimously carried by all those present. (Councilmember Frazier was not present for the vote.)

Respectfully submitted,

Becky P. Hildebrand, CMC
Municipal Clerk

APPROVED:

T. Randall Halfacre
Mayor

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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.