

MINUTES
Town of Lexington
Executive Session and
COUNCIL WORK SESSION

January 20, 2015

Town Council held a Council Work Session preceded by an Executive Session, the *Saxe Gotha-Lexington Public Facilities Corporation Meeting* and a Special Council Meeting (See separate Minutes) on January 20, 2015 at 6:10 p.m. in the Eli Mack Sr. Room. The meetings were attended by: Mayor Steve MacDougall, Mayor Pro-Tem Hazel Livingston, Council Members Kathy Maness, Ted Stambolitis, Todd Shevchik, and Ron Williams. Councilmember Todd Carnes was absent.

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, Economic Development Catalyst Johnny Jeffcoat, Director of Parks, Streets and Sanitation Dan Walker, Planning, Building and Technology Director John Hanson, Events and Media Coordinator Jennifer Dowden, Assistant Municipal Clerk Karen Hanner, and Municipal Clerk Becky Hildebrand.

There was one (1) citizen present and no members of the news media members were present.

OPENING STATEMENT and CALL TO ORDER: Mayor MacDougall welcomed everyone to the Council Work Session. He read an opening statement to explain the procedures of a Council Work Session which stated: *“Work Sessions are less formal business meetings that enable Council to obtain and discuss information regarding Town issues from Staff members and/or consultants. Like Regular Council Meetings, citizens are encouraged to attend and observe Work Sessions; however, they do not include Public Hearings, but do allow for public comment at the end of the Work Session unless otherwise called on by Council. Council does not take an action vote on items during a Work Session other than to vote to place an item on Council’s next Regular Council Meeting agenda for consideration and an official vote. Council Work Sessions are not tape recorded, but Minutes are taken and posted on the Town’s web page following approval of Council”.*

Councilmember Maness gave the invocation, Councilmember Shevchik led in the Pledge of Allegiance, and Mayor MacDougall gave the Executive Session Report during the Special Council Meeting (see separate Minutes). Mayor MacDougall called the Council Work Session to order at 6:10 p.m.

DELETIONS TO AGENDA

Councilmember Shevchik requested that Business Item #2 (Board of Zoning Appeals Appointment) be deleted from the agenda. There being no objections from Council, the item was deleted.

PRESENTATIONS

1. **Lexington Baseball Update – Mr. Tommy Frazier:** Mr. Frazier thanked the Mayor and Council for their recent support for a group to attend a Coach's conference in Florida. He stated that the trip was a huge success and they have 60 teams ready to come to Lexington next year to play baseball in the new stadium. He added that a four team tournament would definitely be here next February. Mr. Frazier stated that teams only 40 miles away would like to come here to pick up state team games. Several coaches showed interest in having the Fall Showcase in Lexington. He stated that they talked to college baseball coaches from Indiana State, Kansas State and LSU. They were also in talks with two college conferences coming to Lexington which would be televised on ESPN. Mr. Frazier stated that there are no guarantees, but it really looked good for teams to come to Lexington to play. He added that they would be able to confirm the numbers once they've had a chance to look through all the schedules. He stated that Citadel was willing to give up one home game to come play a team in Lexington. Mr. Frazier stated that the economic impact for Lexington would be huge in that if eight teams came it would equal approximately 18 rooms per team plus the teams fan base. He added that if the conference comes to Lexington, rooms would be needed in West Columbia and possibly Columbia. He confirmed that the teams would make their announcements in the summer, because even though the coaches saw the pictures, they want to see the stadium built.

Mayor MacDougall thanked Mr. Frazier for making the trip to Florida and for bringing back such good news for Lexington.

2. **Comprehensive Annual Financial Statements – Mr. Ken Prince, The Brittingham Group, LLP, CPA's:** Mr. Prince thanked the Mayor and Council for allowing him to be the Town's independent auditor again. He thanked Finance Director Roberts and the Finance Department for their assistance in preparing the CAFR and congratulated them on another good audit. Mr. Prince gave an Executive Summary of financial statements dated year ending June 30, 2014. Their opinion, dated December 15, 2014, was unmodified, which is the best opinion to receive. Mr. Prince stated that they performed a single audit on each major program and on internal control over compliance required by OMB Circular A-133 Compliance Supplement that could have a direct and material effect on each of the Town's major federal programs. They found no material weaknesses. He congratulated the Town on receiving the Government Finance Officers Association (GFOA) 2013 award, a Certificate of Achievement for Excellence in Financial Reporting for the 16th consecutive year. Assets of the Town exceeded its liabilities at year end June 30, 2014 by \$101,015,130 (net position). Of the total, \$13,930,468 was unrestricted and available to meet the ongoing obligations and operations of the Town. Mr. Prince introduced Mr. Ray Williamson, Audit Partner, and then called on Council for questions.

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Councilmember Stambolitis thanked the Finance Department for doing a good job in keeping the Town finances in good order and for continuing to get good ratings.

BUSINESS ITEMS: (For Discussion and Recommendation for Council's February 2, 2015 Regular Council Meeting.)

1. **First Reading of an Amendment of Ordinance §131.11 – Obtaining Property by False Pretenses:** Town Council was asked to consider amending §131.11 of the Town of Lexington Code of Ordinances titled Obtaining Signature Or Property By False Pretenses. The text of the current Ordinance is below. The requested change is to add “services” to the Ordinance, so as to penalize a person for obtaining services as well as property under false pretenses. An example of a violation would be absconding on a taxi cab bill, but it would include any other “service” obtained under false pretenses.

§131.11 OBTAINING SIGNATURE OR PROPERTY BY FALSE PRETENSES. *Any person who shall by any false pretense or representation, obtain the signature of any person to any written instrument or shall obtain from any other person any chattel, money, valuable security, or other property, real or personal, where the value thereof does not exceed one thousand dollars (\$1,000.00) with intent to cheat or defraud any person of the same shall be guilty of a misdemeanor.*

(‘60 Code, §10-7; Am. Ord. 351 § 4. Passed 1-5-98)
Cross Reference – Penalty, see § 130.99

A motion was made by Councilmember Maness and seconded by Councilmember Stambolitis to place the item on Council's February 2, 2015 agenda for consideration of First Reading approval. Municipal Attorney Cunningham stated that the item was requested by the Lexington Police Department. Councilmember Stambolitis asked how many incidents were involved. Chief Green explained that they had a lot of incidents including bills not paid in bars, cabs and restaurants. He added that several were dismissed by the court because the Town's Ordinance did not include the correct wording. The motion was unanimously carried by all those present.

2. (Deleted.) **Appointment to Board of Zoning Appeals.**
3. **Pilgrim Point Street Lights – Finance Director Kathy Roberts:** For four of the past five years the Town has paid 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 street light bill. (Copy of request letter attached.) There are 48 lots in Pilgrim Point and the Town Ordinance stated that the Town would be responsible for one (1) street light per six (6) lots, which equals eight (8) lights.

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The total requested is \$1,669 (17.39 x 8 x 12). Funds would come from Parks, Streets, and Sanitation budget, account #100-5-660-520.

A motion was made by Mayor Pro-Tem Livingston and seconded by Councilmember Maness to place the item on Council's February 2, 2015 agenda for consideration. Councilmember Stambolitis asked if the request was set to be automatically paid each year. Councilmember Williams asked if this was done for every neighborhood. Town Administrator Poole stated that Staff could look at making the request automatic. He explained that Pilgrim Point is the only gated community in the Town of Lexington with private roads. He used Woodcreek as an example that non-residents could enter the neighborhood anytime. He stated that Golden Hills has public streets owned by the Town under a Special Purpose Tax District. Finance Director Roberts stated that it is better to leave it up to Pilgrim Point to make the request each year. Councilmembers Stambolitis and Williams agreed with her point. The motion was unanimously carried by all those present.

4. **Mid-Year Budget Adjustment – Finance Director Kathy Roberts:** The following budget adjustment is necessary for the current year. No increase in appropriations occurs as a result of this change.

<i>Increase Parks Capital Outlay (Grasshopper Mowing System)</i>	\$15,500
<i>Decrease Parks Salaries</i>	<u>(\$15,500)</u>
Net	\$ -0-

A motion was made by Councilmember Shevchik and seconded by Councilmember Williams to place the Mid-Year Budget Adjustment on Council's February 2, 2015 agenda for consideration. Town Administrator Poole stated that the equipment would allow for treatments that are currently done manually. Councilmember Williams asked how long the new piece of equipment would last. Parks, Streets and Sanitation Director Walker stated the old Grounds Master Toro mower was 20 years old. He added that the new mower has a herbicider which can put down treatments such as growth retardants; an edger; a front mount mower which gives a better cut, all of which will greatly reduce man-hours. The motion was unanimously carried by all those present.

FOR YOUR INFORMATION

1. **Emergency Procurements – Finance Director Kathy Roberts:** A summary of emergency purchases made in the fourth quarter of 2014 was presented to Council. They were asked to accept the information and direct the summary be recorded in the Minutes of this Work Session.

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COUNCIL/STAFF COMMENTS: None.

QUESTIONS FROM THE NEWS MEDIA: 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 6:30 p.m. The motion was unanimously carried by all those present.

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.