

MINUTES
Town of Lexington
Executive Session and
COUNCIL WORK SESSION
March 16, 2015

Town Council held a Council Work Session preceded by an Executive Session on March 16, 2015 at 6:00 p.m. in the Eli Mack Sr. Room located at Town Hall, 111 Maiden Lane, Lexington, South Carolina. The meetings were attended by: Mayor Steve MacDougall, Mayor Pro-Tem Hazel Livingston, Council Members Kathy Maness, Ted Stambolitis, Todd Shevchik, Todd Carnes and Ron Williams.

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, Transportation Director Randy Edwards, Events and Media Coordinator Jennifer Dowden, Assistant Municipal Clerk Karen Hanner, and Municipal Clerk Becky Hildebrand.

There were no citizens present and no member of the news media was present.

CALL TO ORDER: Mayor MacDougall welcomed everyone to the Council Work Session and apologized for the late start. 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 Carnes gave the invocation. Councilmember Stambolitis led in the Pledge of Allegiance. Mayor MacDougall called the Council Work Session to order at 6:25 p.m.

EXECUTIVE SESSION REPORT

Mayor MacDougall reported that the *Executive Session* was called to order at 4:35 p.m. after a motion was made by Councilmember Carnes and seconded by Councilmember Williams to go into *Executive Session*. The motion was unanimously carried by all those present. (Councilmembers Maness and Shevchik were absent for the vote.) Council adjourned from *Executive Session* at 6:19 p.m. after a motion was made by

MINUTES
COUNCIL WORK SESSION
March 16, 2015

Councilmember Carnes and seconded by Mayor Pro-Tem Livingston. The motion was unanimously carried. Mayor MacDougall reported that Council met in *Executive Session* to discuss: one personnel matter regarding the discussion of a new position; two contractual issues regarding Downtown Economic Development and renewal of an existing contract; and one legal matter regarding the discussion of road improvement options. No vote was taken. A motion was made by Mayor Pro-Tem Livingston and seconded by Councilmember Maness to ratify Mayor MacDougall's *Executive Session* report. The motion was unanimously carried.

DELETIONS TO AGENDA: None.

APPROVAL OF MINUTES: A motion was made by Councilmember Maness and seconded by Councilmember Shevchik to approve the Minutes as submitted for Council's Regular Council Meeting held on March 2, 2015. The motion was unanimously carried.

PRESENTATIONS: None.

BUSINESS ITEMS: (For Discussion and Recommendation for Council's April 6, 2015 Regular Council Meeting.)

1. **Meals on Wheels Program – Municipal Clerk Becky Hildebrand:** The Lexington County Recreation and Aging Commission's Council on Aging Program requested support from the Town of Lexington to heighten awareness of the circumstances that face many of Lexington County's aging individuals and to support the Meals on Wheels program. In 2014, Council voted to donate \$500 to the Meals on Wheels program. (Copy of request letter attached.)

A motion was made by Councilmember Maness and seconded by Councilmember Shevchik to place the item on Council's April 6, 2015 agenda for consideration. The motion was unanimously carried.

2. **Talent Bank Application – Municipal Clerk Becky Hildebrand:** Mr. William Patrick (Pat) Melton submitted a Talent Bank application to serve on a Board or Commission. He indicated an interest in the Advisory Committee or Traffic Committee. Mr. Melton is a Town resident. (Copy of Talent Bank application attached.)

A motion was made by Mayor Pro-Tem Livingston and seconded by Councilmember Maness to place the item on Council's April 6, 2015 agenda for consideration of appointment. Mayor Pro-Tem Livingston stated that Mr. Melton is a top-notch person and she would like to see him serve on the Town's Traffic Committee. The motion was unanimously carried.

3. **Amendment to the Landscape and Tree Ordinance – Director of Parks, Streets and Sanitation Dan Walker:** It came to the attention of the Administrator

MINUTES
COUNCIL WORK SESSION
March 16, 2015

of the Town Landscape and Tree Ordinance that some requirements go against the best horticultural practices. When a non-conforming property meets certain requirements it needs to come into compliance without consideration of existing plant materials and the overall purpose of the Ordinance to beautify the Town. Council was asked to amend *Section 156.10.02(B) (Nonconforming Property)* by adding the following: *(5) The existing plant materials and how they might meet the intent of the Town's Landscape and Tree Ordinance at the discretion of the Administrator.* (Copy of entire Section attached and photograph of example.)

Mayor Pro-Tem Livingston requested that if someone cannot come into compliance that they be required to pay into a tree fund. She gave the example of trees at the Cookout restaurant where trees are planted too close and will die. She suggested that the plan review trees that have died since a property came into compliance. Mayor Pro-Tem Livingston recommended that Council look at other ordinances from other towns, such as Cayce's, and that the Town's ordinance not just be at the discretion of the director, but to donate to a tree fund/plan. Councilmember Stambolitis stated that it would defeat the purpose. He added that all the trees at Walmart have died and they probably do not have any irrigation. Town Administrator Poole explained Walmart is under the old plan. He added that the Town has a similar sidewalk fund program and it works very well. He suggested that Staff develop a plan to require "x" number of trees or pay "x" dollars into a tree fund. Mayor MacDougall stated that accountability should fall to the Ordinance not on personnel. Mr. Poole reminded Council that the Ordinance change would ultimately go back through the Planning Commission. Councilmember Carnes asked what the recommendation should be. Mr. Poole responded the he liked the tree fund idea and Staff could look at other city ordinances. Mr. Walker stated that he has had a tree fund for approximately 18 years, but it is used for Main Street. Mayor Pro-Tem Livingston requested that the Ordinance could state how far apart the trees could be placed and if they don't fit the person would contribute to the tree fund. Councilmember Stambolitis requested that the Ordinance state that the trees must be kept alive.

A motion was made by Mayor Pro-Tem Livingston and seconded by Councilmember Stambolitis to send the item back to Staff for recommendations as discussed. Councilmember Shevchik asked if the old San Jose building could be cleaned up. Mayor MacDougall compared it to the old Hardees on Highway 6. Mr. Poole responded that the Building Official had visited the old San Jose building to advise the owner, Greg Leon, that something needed to be done to the building. He added that the Town could condemn the building. The motion was unanimously carried.

MINUTES
COUNCIL WORK SESSION
March 16, 2015

COUNCIL/STAFF COMMENTS

Mayor Pro-Tem Livingston requested that Staff respond to a citizen who complained about a drainage ditch in his backyard located behind Libby's. Transportation Director Edwards stated that he had referred the citizen to SCDOT because it is private property. Mr. Edwards added that there used to be a fish pond at the back of the property near the storm drain and once the pond was drained it left a poorly managed back yard.

Assistant Town Administrator Ford asked if Council had any objections to proceeding with NLC's Service Line Warranty Program in the spring. Councilmember Maness stated that the last program received complaints but it was regarding how it was marketed because another group contacted citizens around the same time. Councilmember Carnes confirmed that the program covered certain things such as fixing pipes and damage caused by getting to a damage area, but it would not pay for carpet. There were no objections from Council.

PUBLIC COMMENTS: None.

QUESTIONS FROM THE NEWS MEDIA: None.

ADJOURNMENT: There being no further comments or questions, a motion was made by Councilmember Maness and seconded by Councilmember Carnes to adjourn the Council's Work Session at 6:50 p.m. The motion was unanimously carried.

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.