

MINUTES
Town of Lexington
Executive Session and
COUNCIL WORK SESSION

June 8, 2015

Town Council held a Council Work Session preceded by an Executive Session and followed by a Regular Council meeting (*summer schedule*) on June 8, 2015 at 6:00 p.m. in the Eli Mack Sr. Room and Council Chambers 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, Parks, Streets and Sanitation Director Dan Walker and Foreman Johnny Dillard, Planning, Building and Technology Director John Hanson, Transportation Director Randy Edwards, I.T. Manager Bea Daniels, Network Administrator Darrell Pritchard, Events and Media Coordinator Jennifer Dowden, Assistant Municipal Clerk Karen Hanner, and Municipal Clerk Becky Hildebrand.

There were no citizens or news media present for the Work Session.

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.*”

Mayor MacDougall called the Council Work Session to order at 6:08 p.m.

EXECUTIVE SESSION REPORT

Mayor MacDougall reported that the *Executive Session* was called to order at 5:00 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. (Mayor Pro-Tem Livingston was absent for the vote.) Council adjourned from *Executive Session* at 6:07 p.m. after a motion was made by Councilmember Maness and seconded by Councilmember Shevchik. The motion was unanimously carried. Mayor MacDougall reported that Council met in *Executive Session* to discuss:

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two legal issues regarding road improvement options and legal advice related to agenda items and three personnel issues related to two routine personnel reviews and appointments to Boards and Commissions. No vote was taken. A motion was made by Councilmember Maness and seconded by Mayor Pro-Tem Livingston 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 Shevchik and seconded by Councilmember Carnes to approve the Minutes as submitted for Council's Regular Council Meeting held on May 4, 2015; Council's Work Session held on May 21, 2015; and a Special Council Meeting held on May 26, 2015. The motion was unanimously carried.

BUSINESS ITEMS: (For Discussion and Recommendation for Council's July 13, 2015 Regular Council Meeting.)

- 1. Discussion Regarding Ordinance 159.04.14, Vehicle Signs – Planning, Building and Technology Director John Hanson:** Mr. Hanson stated that he was asked to place an item on Council's agenda to discuss the enforcement of Ordinance 159.04.14 (Vehicle Signs) which states: "*Signs on vehicles, either attached to or painted on vehicles, or any type which are conspicuously parked in close proximity to the right-of-way and are obviously parked in such a way as to advertise any business to the passing motorist or pedestrian are prohibited.*" Since its adoption, this Ordinance has been enforced by prohibiting the parking of these vehicles anywhere outside of a normal parking space and within the first row of parking spaces in a commercial lot.

Councilmember Carnes stated that he had requested a discussion of the ordinance due to a business owner's complaint regarding his "wrapped" car at the Old Mill used for marketing. Councilmember Carnes stated that the Ordinance seemed extreme in that the owner was not in the right-of-way and was off the road. He further requested that the Ordinance be amended. Mayor MacDougall stated that the Ordinance was created due to one "bad apple" parking his van so close to the road that you could not see around it. Mr. Hanson responded that the incident took place near the Bi-Lo. Recently, the Code Enforcement Officer had talked to the Mosquito Company at 603 East Main Street because they were parked in the front yard. The Officer noticed that further down the hill a van was parked in front of the Old Mill and they were asked to move one space back in order to be fair.

Mayor Pro-Tem Livingston stated that to amend the Ordinance would open a can of worms because it would be just like the billboard issue. She added that there are a lot of "wrapped" cars now and it would create a problem. She recommended that the Ordinance not be changed. Councilmember Shevchik agreed that the Ordinance should not be changed. Councilmember Williams agreed that the cars with advertisement should stay off the front row. He added that Iron Works parks in front of the stop sign and they should move back a few spaces. Councilmember

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Carnes stated that it is not fair to the business owners to be allowed to park their cars in a way to help them advertise. Mayor Pro-Tem Livingston stated that most of the business owners only rent the property. Mayor MacDougall stated that it is also a safety issue which he compared it to a flashing neon sign that was placed in the back of a van on Highway 378.

No action was taken.

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

A motion was made by Councilmember Maness and seconded by Councilmember Williams to place the item on Council's July 13, 2015 agenda for consideration. The motion was unanimously carried.

3. **Accommodations Tax 65% Fund Committee Award Recommendations – Special Projects Manager Wesley Crosby:** The Accommodations Tax Advisory Committee (Marvin Robinson, Chairman) met on April 28, 2015 to review, hear applicant presentations, and make recommendations regarding the allocation of FY 2014 Town of Lexington Accommodations Tax funding totaling \$90,409. A spreadsheet listing the applicants who applied and the Accommodations Tax Committee's award recommendations was provided to Council for their review. (Copy of spreadsheet attached.)

A motion was made by Councilmember Maness and seconded by Councilmember Williams to place the item on Council's July 13, 2015 agenda for consideration. The motion was unanimously carried.

FOR YOUR INFORMATION

1. **Sewer Improvements Along Main Street and South Lake Drive – Utilities Director Allen Lutz:** On April 28, 2015, the Utilities Department accepted sealed bids for the rehabilitation of lines along Main Street and a portion of South Lake Drive. Six Companies requested the bid package for the project with only two contractors submitting a bid. The low bid was from IPR Southeast, LLC for \$714,150.00 and the high bid was from McClam and Associates for \$1,499,216.00. HPG Engineering reviewed the bids and recommended awarding the contract to IPR Southeast, LLC. The low bid came within the Town's budget and the contract was signed for IPR Southeast, LLC to proceed with the project.

COUNCIL/STAFF COMMENTS: None.

PUBLIC COMMENTS: None.

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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 Williams to adjourn the Council's Work Session at 6:20 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.