

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

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Town Council held a Council Work Session preceded by an Executive Session on November 16, 2015 at 6:00 p.m. in the Eli Mack Sr. Room located at Town Hall, 111 Maiden Lane, Lexington, South Carolina. The meeting was 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, Parks and Sanitation Foreman Johnny Dillard, 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 five (5) citizens present and no members of the news media were present.

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**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 Carnes gave the invocation. Councilmember Williams led in the Pledge of Allegiance. Mayor MacDougall called the Council Work Session to order at 6:17 p.m. Mayor MacDougall later welcomed County Councilmember Kent Collins.

**EXECUTIVE SESSION REPORT**

Mayor MacDougall reported that the *Executive Session* was called to order at 5:30 p.m. after a motion was made by Councilmember Shevchik and seconded by Councilmember Maness to go into *Executive Session*. The motion was unanimously carried. Council adjourned from *Executive Session* at 6:15 p.m. after a motion was made by Councilmember Maness and seconded by Mayor Pro-Tem Livingston. The motion was unanimously carried. Mayor MacDougall reported that Council met in *Executive Session* to discuss: Two legal issues related to storm drainage repairs and a charitable

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donation. Two contractual issues related to a proposed sale of property and contracts for sewer service. (*All pursuant to SC Code 30-4-70(a)(2)*). 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.

**ADDITIONS/DELETIONS TO AGENDA:** None.

**APPROVAL OF MINUTES:** A motion was made by Councilmember Maness and seconded by Councilmember Stambolitis to approve the Minutes from Council's Regular meeting held on November 2, 2015. The motion was unanimously carried.

**PRESENTATIONS**

1. **Historical Cemeteries in Lexington – Mr. Chuck Corley, Chairman Town of Lexington's Historical Preservation Review Board:** Mr. Corley advised the Mayor and Council that the Spurlock family cemetery, where Lexington's founding father Lawrence Corley, along with several slaves, were buried and is located on a larger property that is currently being sold. He stated that the bank does not want to include the cemetery in the transaction. He added that a few years ago the Town annexed another cemetery, near Hendrix Farms, which had saved it for future generations. Mr. Corley stated that the DAR (Daughters of the American Revolution) had placed a monument at the Spurlock cemetery to honor the families buried there. He was not sure why his Great Grandfather Corley was buried there and not with Granny Corley, but the cemetery also included three of their slaves. Mr. Corley asked if the cemetery could be deeded to the Town in perpetuity.

Mayor MacDougall stated that he did not think anyone would balk at Mr. Corley's request. He asked Mr. Corley to get the information to Town Administrator Poole and Municipal Attorney Cunningham so they could review it and bring it back to Council at their next Executive Session. Mayor Pro-Tem Livingston confirmed with Mr. Corley that the bank would need an answer soon. Councilmember Stambolitis stated that there are several Confederate graves on his property and he would like to know how to register the property with Historic Preservation.

**BUSINESS ITEMS:** (For Discussion and Recommendation for Council's December 7, 2015 Regular Council Meeting.)

1. **Discussion of Commercial Garbage Collection Restrictions – Planning, Building and Technology Director John Hanson:** Councilmember Carnes asked to discuss the restriction on commercial garbage collection times. Town Council adopted an Ordinance restricting the time commercial collection can occur to between 7:00 a.m. and 7:00 p.m. after the Planning Commission was asked to study the issue and provide a recommendation.

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Councilmember Carnes stated that Councilmembers had received a letter from Ard's Container Service and since he was not on Council when the Ordinance was adopted he would like to discuss the issue and the validity of the letter. Town Administrator Poole gave a brief overview of issues from several years ago when trash was being picked up around 3:00 – 5:00 a.m. from a restaurant located behind a neighborhood. He added that the noise of the truck, the lifting arms, and the back-up beeper would wake up the neighbors. He stated that all the licensed garbage contractors were contacted and advised of the new Ordinance which was in line with pick-ups for residential garbage. None of the contractors appeared for the Public Hearing and they heard no further complaints. Mr. Poole stated that the Lexington Police Department measures noise level. He added that the garbage companies are trying to get the trash picked up before heavy traffic.

Councilmember Maness stated that her neighbors were the ones affected several years ago. She added that the contractors were given an opportunity to delay the pick-ups on their own, but they took no action.

Councilmember Shevchik stated that there were some good points in the letter from Ard's.

Mr. Tom Mack, 381 Spruce Glen Rd, Hope Ferry Plantation, stated that he has lived in Lexington since 1993 and his property backs up to Uno's. He added that a church was located next to Uno's as well as 14 Carrot. He stated that trash is still picked up behind 14 Carrot between 4:00 and 5:30 a.m. He stated that they are trying to maintain quality of life, however, it is not just the noise of the dumpster – it is the lid, the arm, and the engine noise that wakes them and his neighbors up twice a week since they are only 200 to 300 feet away. Mr. Mack added that he has a family member who lives at Deepwood Estates and they were awakened by the trash truck around 5:30 a.m. just two weeks ago.

- 2. Issuance of General Obligation BANs of 2015 – Assistant Town Administrator Stuart Ford:** The Town's General Obligation Bond Anticipation Notes (BANs) of 2015 mature in January, 2016. The BANs total \$2.64 Million and provided interim funding for road projects, property acquisition, and other capital improvements. The BANs will be rolled until such time as the projects are completed and permanent financing is finalized. Franchise Fee proceeds of approximately \$1,050,000 will be utilized to reduce the outstanding balance of the Series 2016 BANs to approximately \$1.59 Million. The Town has generally issued BANs to provide interim financing at relatively low costs and maximum flexibility until permanent financing is obtained for completed projects.

A motion was made by Councilmember Maness and seconded by Councilmember Shevchik to place the item on Council's December 7, 2015 agenda for approval. Councilmember Williams confirmed that the Town would continue to pay off debt earlier whenever possible. The motion was unanimously carried.

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- 3. 14 Mile Creek Trail – Parks and Sanitation Foreman Johnny Dillard:** The 14 Mile Creek Park is located in a floodway. There are several bridges spanning the creek with most of them running parallel to the flood flow. The next to last bridge runs perpendicular to the flow and has required repairs three times since opening the park. The last two bridges lead to a loop of the trail under the power lines. Council was asked to consider closing the last two bridges in order to save maintenance money on the park.

Councilmember Stambolitis asked if the Town did a survey prior to building the park. Town Administrator Poole stated that the Town knew it was in a flood plain, but the creek was stable. However, the recent historic floods did more damage of which the last bridge took the blunt of it. It was the consensus of Council to take the bridge out as recommended.

- 4. A Call to Men – Town Administrator Britt Poole:** Mr. Poole stated that Mayor MacDougall had requested a discussion with Council regarding facilitating a meeting with the A Call to Men organization.

Mayor MacDougall stated that he got involved with a group that teaches young men in the 9<sup>th</sup> through 12<sup>th</sup> grade, through their athletic coach, how to respect the women in their lives. He learned about the group from his sister. He added that the effort would cut down on domestic criminal violence. The group will start off in Columbia. He stated that they would meet with the school board next week. Mayor MacDougall wanted to let everyone know because it would not be a project with immediate results, in fact, it would take three to four years before results could be celebrated but it would build a strong base in the community. He added that he would facilitate the meetings. The school board would provide two coaches from each high school for a total of eight. The Call to Men organization would provide the criteria.

Councilmember Stambolitis asked if the group could also include females and would it involve the area churches. Mayor MacDougall stated that it could probably re-focus the group for females but the initial group would be young men. He added that local churches would be involved. Mayor Pro-Tem Livingston asked how the Town would be involved. Mayor MacDougall responded that he hoped by year end to celebrate the young men's involvement, where national athletic stars would be present, since the NFL is a sponsor. He stated that they may receive a t-shirt recognizing their involvement. He added that the Town may have some input to the criteria and may help monetarily at some point. Councilmember Maness stated that she had looked at the organization's webpage and she was okay with it.

Mayor MacDougall stated that the program would be taught at the athletic level in order to help show young men how to leave the anger of a game on the field and not bring it into their personal life.

**FOR YOUR INFORMATION**

1. **One Way Pair – Traffic Update – Transportation Director Randy Edwards:**  
The traffic analysis for the proposed One Way Pair along Church Street and Lake Drive extending from Maiden Lane to the Lexington Elementary School has been completed. The traffic model shows that the One Way Pair will move traffic more efficiently through the 100 block of Main Street. The data shows that a signal is warranted at the intersection of South Church Street and Maiden Lane. This was not shown in the initial schematic plan. The use of a signal at this location will provide a safer crossing for pedestrians and help avoid any confusion caused by the new alignment. A visual of the traffic model was shown to Council for their information. (Copy attached.)

Mr. Edwards addressed questions from Council. He explained that based on the new study, which estimates for growth 20 years out, a new traffic light and crosswalk at Maiden Lane would help move traffic more efficiently and would further help with pedestrian traffic once the amphitheater is open. He explained the reduction in traffic based on the plan, but does not include the signalization adaption. He added that once traffic signalization is up and running the numbers would improve even more. He estimated that signalization would be operational by this Christmas and the One Way Pair was planned for completion by December 2017.

Town Administrator Poole stated that the Town would do a press release soon. He added that the process should move faster than some projects because SCDOT has one Project Manager over all the traffic improvement plans. He stated that once the designs and encroachments were complete they would be given to one person at SCDOT. He confirmed that even with the turn lane at 101 Main Street, there would still be approximately five feet of sidewalk. Councilmember Stambolitis requested to see copies of the design plans during the process.

Councilmember Carnes stated that the sign company located at the top of the triangle had questions about where to place their sign.

**COUNCIL/STAFF COMMENTS:** None.

**PUBLIC COMMENTS:** None.

**QUESTIONS FROM THE NEWS MEDIA:** None.

**ADJOURNMENT:** There being no further comments or questions, a motion was made by Councilmember Shevchik and seconded by Councilmember Williams to adjourn the Council's Work Session at 7:15 p.m. The motion was unanimously carried.

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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.*