

MINUTES
Town of Lexington
Executive Session and
COUNCIL WORK SESSION
August 15, 2016

Town Council held a Council Work Session at 6:00 p.m. preceded by an Executive Session at 5:00 on August 15, 2016 in the Eli Mack Sr. Room, followed by Council's Regular Meeting held at 6:30 p.m. in the 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, Transportation Director Randy Edwards, Planning, Building and Technology Director John Hanson, Utilities and Engineering Director Allen Lutz, Finance Director Kathy Roberts, Parks and Sanitation Director Dan Walker, Parks and Sanitation Assistant Director Johnny Dillard, Events and Media Coordinator Jennifer Dowden, Downtown Venue Promoter Walker Brewer, I.T. Manager Bea Daniels, Digital Media Coordinator Darrell Pritchard, Assistant Municipal Clerk Karen Hanner, and Municipal Clerk Becky Hildebrand.

There were two (2) citizens present and no members of the news media were present.

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 6:13 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 Mayor Pro-Tem Livingston and seconded by Councilmember Stambolitis to go into *Executive Session*. The motion was unanimously carried. Council adjourned from *Executive Session* at 6:10 p.m. after a motion was made by Councilmember Carnes and seconded by Councilmember Williams. The motion was unanimously carried. Mayor MacDougall reported that Council met in *Executive Session* to discuss: three legal issues related to the sign ordinance, updates on

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Utilities litigation and a pending annexation; four contractual matters regarding a multi-media contract, a proposed new development in Town, issues related to water treatment facility contract and an update on the Town’s garbage contract; and three personnel matters regarding routine department head reviews and Boards and Commissions liaison appointments. *(All pursuant to SC Code 30-4-70(a)(1) or (2). Upon returning to open session, Council may take action on matters discussed in Executive Session.* No vote was taken. A motion was made by Councilmember Carnes and seconded by Councilmember Williams to ratify Mayor MacDougall’s *Executive Session* report. The motion was unanimously carried.

ADDITIONS/DELETIONS TO AGENDA

Mayor MacDougall requested that item #3 (Council and Staff Liaison Appointments to Boards and Commissions) be deferred to Council’s November Work Session. He requested an addition to the agenda as item #8 (Amendment to the Sign Ordinance Regarding Fee Waiver on Three Day Special Event Permit). There being no objections from Council, the items were deleted/added.

APPROVAL OF MINUTES: A motion was made by Councilmember Maness and seconded by Mayor Pro-Tem Livingston to approve the Minutes from Council’s Work Session and Council’s Regular Meeting both held on July 11, 2016. The motion was unanimously carried.

PRESENTATIONS: None.

BUSINESS ITEMS: (Discussion and Recommendation for the September 6, 2016 Council meeting.)

- Facility Rental Fee Review – Events and Media Coordinator Jennifer Dowden:** Staff was requested to present price comparisons regarding rental fee rates to the Conference Center and Palmetto Collegiate Institute. Following is a comparison of venues in the Midlands area:

Town of Lexington	Conference Center \$600 (in town) \$1,000 (out of town)	PCI \$500 (in town) \$1,000 (in town)
Seibels House and Garden		\$2,600 – Full Day
Lace House		\$3,700; wedding garden \$650
Hampton-Preston Mansion		\$2,600 – Full Day
Convention Center	\$1,200 – Richland Room	
The Manor at Doko Meadows	\$2,750 – Blythewood Commons	
Columbia Conference Center	\$1,299 – Salon A&B	
701 Whaley	\$2,500 – Market Space	
Saluda Shoals – River Center	\$1,975 – Entire Facility	

The following locations were contacted but do not provide pricing online.

Mitchell House (was contacted and would not share pricing/packages).

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Corley Mill (left message – could not reach live person).

Wintergreen Gardens (was told an email with pricing would be sent – did not reach live person in follow up contact).

The Town hosted 148 paid events in 2015: 89 Private individuals of which 22 were out of town; 34 Non-Profits; and, 25 Businesses. Additionally, the Town hosted 80 collaborative events (Department of Education, Police and Utilities Departments Training, Museum Gala, Kid's Day, etc.).

Councilmember Stambolitis asked if the Town's rental facilities filled up and if Ms. Dowden thought the Town under charged for their facilities because he thought the prices were too low. Ms. Dowden responded that they do, especially weekend rentals. She added that due to manpower, facilities are only rented once during a weekend. She explained that if a person has a Saturday wedding, they have access to the facilities from Friday to Sunday and they are required to have it cleaned by Sunday. She added that for weekday rentals, cleanup is required on the same day. Ms. Dowden stated that she did not have a say in the rates; however, the Town made \$54,000 on rentals in 2015. Councilmember Stambolitis asked if we would lose customers if we raised the rates. Councilmember Shevchik responded no.

Mayor Pro-Tem Livingston stated that she wanted the rates to stay low for Town citizens. She asked how we compared to the Mitchell House. Ms. Dowden responded that the Mitchell House is a full service rental facility including caterer, staff, etc. and the Town is bare bones and only provide the structure. She added that Doko Meadows is run by the municipality in Blythewood and they are similar and have additional fees for dance floors, etc. She stated that the Town has an extra fee if someone wants to use our technology package.

Councilmember Williams stated that in-town rates and non-profits were low, but out of town rates could be higher especially since they actually have the facility for three days. He wanted to make sure the care and maintenance of the facilities were taken into consideration.

Town Administrator Poole confirmed that the rental income is enough to pay back the debt service on the Building. He added that there is also income from the SC Highway Patrol that rents office space on the third floor.

Mayor MacDougall stated that since the Town is not losing money the rates were good.

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Councilmember Shevchik thought the Town should go up on the rates because they are too cheap. He added that since we are a government entity the rate is low and the facilities are probably booked a lot because the Town is cheaper than other facilities.

A motion was made by Councilmember Stambolitis and seconded by Councilmember Carnes to defer the item back to the Events and Media Coordinator in order to obtain more information including the local and nationwide venues. Councilmember Shevchik requested that Ms. Dowden continue to try and get the rates for the Corley Mill House. Mayor Pro-Tem Livingston stated that the City of West Columbia also has a room that they rent. Councilmember Carnes stated that he could help find out the rates. The motion was unanimously carried.

2. **Talent Bank Application – Municipal Clerk Becky Hildebrand:** Ms. LaToya Reed submitted a Talent Bank application to serve on a Board or Commission. She indicated an interest in the Advisory Committee which currently has a vacancy. Ms. Reed is a Town resident. (Copy of Talent Bank application attached.)

A motion was made by Councilmember Stambolitis and seconded by Mayor Pro-Tem Livingston to place the item on Council's September 6, 2016 agenda for consideration. The motion was unanimously carried.

3. (Deferred to Council's November Work Session.) **Council and Staff Liaison Appointments to Boards and Commissions**
4. **Icehouse Amphitheater Policy – Downtown Venue Promoter Walker Brewer:** Council was requested to review three separate policies for the Icehouse Amphitheater which included Rental, Vendor and General and to place the items on Council's September 6, 2016 agenda for approval. (Copies attached.)

A motion was made by Councilmember Stambolitis and seconded by Councilmember Williams for discussion purposes of the item. Councilmember Stambolitis welcomed Walker Brewer. He asked how the amphitheater rates would be for someone else using the facility and what type of events would be allowed. Mr. Brewer responded that other facilities, similar in size, charge \$500 to \$1,000 and the rate for the Icehouse Amphitheater was recommended at \$475. He added that they also kept the cost of maintenance in mind.

Councilmember Williams asked how security would be handled at the amphitheater. Mr. Brewer responded that the Town keeps the right of refusal for any event as noted in the policy as programs which are deemed inappropriate for the venue. Mayor Pro-Tem Livingston asked if non-profits would receive a preferred rate. Mr. Brewer responded that

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the rate would be the same in that it is a bare bones venue and the rate covers electricity and clean up by the Parks Department. Town Administrator Poole added that this is a different type of facility and has a real cost to run it. He stated that at \$475, it is a good and reasonable rate. He added that the idea is for the venue to be open so people will come there and create activity.

Councilmember Stambolitis asked if the Town's Noise Ordinance would be the same because he was concerned about the residences that back up to the amphitheater. He added that if a rock and roll band was there it could create a problem. He wanted to confirm that the cutoff time is 10:00 p.m. unless a special permit is obtained. Town Administrator Poole responded that the Noise Ordinance would be in effect, just like at the Palmetto Collegiate Institute and all other venues. He stated that the Police Department does a good job dealing with it and can bring the meter out to make sure the noise level in compliance. He added that everyone would be made aware of the ordinance.

Councilmember Shevchik asked who is included in "*Icehouse Management*" as referenced in the policy. Mr. Brewer responded that it would primarily be him and Mr. Poole, but it could also be Ms. Dowden or other designated Staff as needed. He added that if there is a concert he would always be there and would determine the number of Staff required. Mr. Brewer stated that the Town reserved the right to be the exclusive seller of food and beverage on the Icehouse grounds. He clarified that if a local church was there they would be able to collect their own tickets and/or hand out refreshments. Mr. Poole added that they had also talked with local restaurants to see if they would be available for events at the venue.

Councilmember Stambolitis stated that all restaurants in the Main Street core were not contacted because he would like to be a participating restaurant. Mr. Walker stated that as events were approved he would continue to reach out to restaurants.

Councilmember Maness asked Staff to develop a Facebook page for the amphitheater. Mr. Walker was not sure how the box office would be set up and he would work with Ms. Dowden on the Facebook page.

Councilmember Williams asked how security would be handled at the amphitheater. Mr. Walker stated that all events would be supported by the Police Department. Mr. Poole added that there would be a policy for events that would state when additional police officers would be required.

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A motion was made by Councilmember Maness and seconded by Councilmember Shevchik to place the item on Council's September 6, 2016 agenda for consideration. The motion was unanimously carried.

5. **Discussion of LED Commercial Signs – Director of Planning, Building and Technology John Hanson:** Councilmember Stambolitis asked that LED commercial signs be placed on the agenda for further discussion. Currently the Sign Ordinance does not allow any type of electronic signage. A change to the ordinance with a review by the Planning Commission would be required to permit these types of signs.

Councilmember Stambolitis stated that they needed to continue to discuss LED signs in Lexington. He clarified that these are the signs that usually show the time and temperature. He added that the Police Department uses LED signs for direction information. He stated that if the others did not agree, that was okay, but as a business owner he has had his sign vandalized many times. Councilmember Stambolitis stated that the letters have to be changed manually and it is very easy for a prankster to change the words to something offensive, which would be bad if someone had a child in the car when they pass by. He stated that LED signs would prevent that from happening. He added that the signs could be limited as to how many times a day they could be changed.

A motion was made by Councilmember Maness and seconded by Councilmember Carnes that this topic required a lot of conversation and with a double meeting tonight their time was limited so it was recommended that it be brought back to Council's September Work Session. Mayor Pro-Tem Livingston stated that they would have to bring back better examples because the ones she received before were hideous. Councilmember Stambolitis confirmed that if the signs were attractive they would probably be okay.

6. **Annexation of County Owned Property – Municipal Attorney Brad Cunningham:** Annexation is sought for a parcel of land owned by Lexington County. The property is 6.02 acres bearing Lexington County Tax Map #003528-01-145 and it is located behind Cascade Court. A Resolution of Town Council supporting the annexation is required as part of the process to annex County owned property. Council was requested to approve the Resolution and place the item on tonight's Council agenda for First Reading.

A motion was made by Councilmember Maness and seconded by Councilmember Shevchik to place the item on tonight's Council agenda for approval for First Reading. The motion was unanimously carried.

7. **Law Enforcement Assistance and Support Agreements – Police Chief Terrence Green:** The Lexington Police Department would like to enter into a

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Law Enforcement Assistance and Support Agreement with the following agencies in order to provide additional manpower as needed by agencies:

Aiken County Sheriff's Office	Lexington Medical Department of Public Safety
Aiken Department of Public Safety	Lexington County Sheriff's Department
Batesburg-Leesville Police Department	Myrtle Beach Police Department
Camden Police Department	North Augusta Department of Public Safety
Cayce Department of Public Safety	Pelion Police Department
Chapin Police Department	Pine Ridge Police Department
Columbia Police Department	Richland County Sheriff's Department
Columbia College Police Department	South Congaree Police Department
Columbia Metro Airport Police Department	Springdale Police Department
Forest Acres Police Department	Swansea Police Department
Gaston Police Department	USC Division of Law Enforcement & Safety
Irmo Police Department	West Columbia Police Department
Kershaw County Sheriff's Department	York County Sheriff's Department

Council was asked to place the item on tonight's Council agenda for approval of First Reading.

Councilmember Stambolitis asked if the agreements applied to the Federal Government agencies such as FBI. Chief Green stated that the FBI can do anything they want. He added that they already have a very good working relationship with the FBI and SLED. He stated that as with the recent mass shootings, the FBI will come in and we can turn the incident over to them with a joint effort. Chief Green stated that the FBI and SLED have the money, equipment, and knowledge to come into an active shooter or other volatile situation. He added that their resources were proven during the Charleston murders. Councilmember Stambolitis stated that he preferred to have our local police in charge. Chief Green stated that SLED, local, State and Federal agencies work very well together. Town Administrator Poole stated that the Town has a long history of working with Federal agencies such as when the Hells Angels were in Lexington.

A motion was made by Councilmember Maness and seconded by Mayor Pro-Tem Livingston to place the item on tonight's Council agenda for approval of First Reading. The motion was unanimously carried.

8. (Added) **Sign Ordinance Amendment – Town Administrator Britt Poole:** Council discussed an amendment to the Town's Sign Ordinance and determined that a waiver of the \$20 Special Event Permit Application would be processed for businesses requesting to have a special event during Federal holidays. The permit would be limited to one (1) day prior to the holiday, the day of the holiday, and one (1) day after the holiday.

A motion was made by Councilmember Maness and seconded by Councilmember Williams to place the item on Council's September 6, 2016 agenda for consideration. The motion was unanimously carried.

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FOR YOUR INFORMATION

1. **Emergency Procurements – Finance Director Kathy Roberts:** A summary of emergency purchases made in the second quarter of 2016 was provided to Council. Council was asked to accept the summary as information and direct that it be recorded in the minutes of this Work Session. (Copy attached.)

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 Mayor Pro-Tem Livingston and seconded by Councilmember Maness to adjourn the Council's Work Session at 6:43 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.