



**REGULAR COUNCIL MEETING**  
**Council Chambers**  
**111 Maiden Lane, Lexington, SC**  
**September 5, 2023**

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**AGENDA**

**5:15 PM**      **EXECUTIVE SESSION** (Conference Center)

- Personnel:      One Routine Personnel Matter  
                         One Routine Administrative Personnel Matter  
                         Discussion Regarding Utilities Director Search §30-4-70(a) (1)
- Legal:            Issues Regarding Municipal Election Procedures  
                         Issues Regarding Litigation in the West Columbia Water Case  
                         Issues Regarding Utilities Condemnation Case  
                         Advice Regarding Agenda Items §30-4-70(a)(2)

*Upon returning to open session, Council may take action on matters discussed in Executive Session.*

**6:30 PM**      **OPENING STATEMENT**

**INVOCATION** – Mayor Pro-Tem Hazel Livingston

**PLEDGE OF ALLEGIANCE** - US Army Retired Sergeant First Class Rich Little

**CALL TO ORDER**

**EXECUTIVE SESSION REPORT & RATIFICATION**

**DELETIONS ON AGENDA**

**PRESENTATIONS**

1. Proclamation, Congratulating Blowfish Baseball, Pettit Cup Championship,  
Bill and Vicki Shanahan – Mayor Steve MacDougall

**RULES OF PROCEDURE**  
**LEXINGTON TOWN COUNCIL**

1. When a holiday observed by the Town falls on a regularly scheduled Town Council Meeting or Work Session, such meeting shall be held the following workday, unless another day is so designated by action of Town Council.
2. The **AGENDA** shall contain the items to be considered by the Council. The deadline for placing items on the Agenda shall be noon on Wednesday prior to the regular Council Meetings or Council Work Sessions. Matters not on the Agenda may be considered on the request of a Councilmember unless two members object.
3. Unless a **READING OF THE MINUTES OF A COUNCIL MEETING** is requested by a Councilmember, such minutes may be approved without a reading if the Municipal Clerk has previously furnished each member with a copy.
4. Each Councilmember **ADDRESSING THE COUNCIL** shall speak with permission of the Chair and shall address the Chair, and no member shall interrupt anyone who is speaking, except to call him/her to order or for an explanation.
5. **ANY PERSON WHO IS NOT A MEMBER OF THE COUNCIL MAY SPEAK** to the Council with permission of the Chair and shall address the Chair; each person, after stating his/her name and address, may make comments which are relevant to the subject matter at hand and which are limited to three (3) minutes, unless additional time is granted in advance by the Chair.
6. All votes of the Council shall be conducted publicly and by a show of hands, and shall be recorded in the minutes. For a Motion to pass, it must receive a majority of the votes *actually cast*. Discussion of items may be conducted in Executive Session in conformance with Freedom of Information Act, but no vote or Council action may be taken.
7. Telephone votes by Council are not authorized unless the matter is deemed an emergency, which will be determined by the Town Administrator and the Municipal Clerk. A Town Council Member may connect remotely via telephone, skype or computer to a Town Council Work Session or other informal Council Meeting for the purpose of listening, but may not participate in the discussion or voting (if any) during the meeting. A member connected remotely shall not be counted as present for purposes of establishing a quorum. Remote connection shall not be authorized at any public meeting other than as described above, and shall not be authorized for Town of Lexington Boards and Commissions Meetings

For the purpose of this rule of procedure, an emergency item shall be defined as an item which requires immediate legislative action because it significantly bears on the ability of the Town government to deliver services; because it threatens the safety, livelihood or general well-being of the people of the Town; because delaying action might result in the loss of public funds; or because failure to act might result in litigation or exacerbation of pending litigation.

8. The Council may, by majority vote, meet in **EXECUTIVE SESSION** at any time, but only in compliance with South Carolina law. Attendance at such sessions shall be limited only to Council members, the Town Administrator, Town Attorney and the Municipal Clerk, plus such invitees as may meet the unanimous approval of the Council. If an Executive Session is conducted, the Chair shall announce the specific purpose(s) for the session and upon return from Executive Session shall report publicly the topics discussed. Remote connection to an Executive Session shall not be authorized.
9. It is a general rule that no member can vote on a question in which (s)he has a direct personal or pecuniary interest. If a conflict of interest exists on any issue, the member must: declare, in writing, the conflict of interest; present it to the Municipal Clerk; and, then physically remove him(her)self from all discussion of the matter as well as from the voting process. Such recusal from discussion shall include subsequent meetings and formal discussions where the matter may be addressed.
10. While it is the duty of every member who has an opinion on the question to express it by his/her vote, the member can not be compelled to do so. (S)he may abstain from voting, even though the member knows the effect is the same as if (s)he voted on the prevailing side. It shall be required, however, that an explanation be given to the other members and public as to why the member abstained.
11. No motion shall be entertained nor voted upon regarding any matter which appears on the meeting agenda for discussion only, unless the agenda is properly amended pursuant to the Town Code of Ordinances.
12. All matters listed within a Consent Agenda have been distributed to members of Council and are considered routine. Consent Agenda items will be approved by one motion of the Council with no separate discussion. If separate discussion is desired on any item, that item may be removed from the Consent Agenda at the request of a Councilmember for action later in the agenda.

**AGENDA**  
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**VISION PLAN UPDATE** - Mayor Steve MacDougall

**TRAFFIC UPDATE** - Mayor Pro-Tem Hazel Livingston

**PUBLIC HEARING** (Speakers are Limited to Five Minutes)

1. **Final Reading** of an Ordinance Annexing Lexington County Tax Map #4496-02-042 Located at 2437 Mineral Springs Road
2. **Final Reading** of an Ordinance Annexing Lexington County Tax Map #3500-03-057 Located at 4766 Sunset Boulevard

**OLD BUSINESS**

1. **Final Reading** of an Ordinance Annexing Lexington County Tax Map #4496-02-042 Located at 2437 Mineral Springs Road – Councilmember Kathy Maness
2. **Final Reading** of an Ordinance Annexing Lexington County Tax Map #3500-03-057 Located at 4766 Sunset Boulevard – Councilmember Todd Carnes

**NEW BUSINESS**

1. Appointment of Assistant Municipal Court Judge and Oath of Office – Councilmember Ron Williams
2. **First Reading** of an Ordinance to Amend the Zoning Ordinance Creating Special Requirements Related to Car Wash Locations – Councilmember Todd Lyle
3. **First Reading** of an Ordinance Creating the Small Business Advisory Committee– Councilmember Gavin Smith
4. **First Reading** of an Ordinance Annexing Lexington County Tax Map #5497-04-001 and 5497-04-029 Located at 108 Railroad Avenue – Mayor Pro Tem Hazel Livingston
5. **First Reading** of an Ordinance Amending §72.47(D), Fine for Handicapped Parking Violation – Councilmember Kathy Maness

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6. **Resolution**, Civility in Local Government – Councilmember Todd Carnes
7. Boards and Commissions Application, Historic Preservation Review Board – Councilmember Ron Williams
8. Facility Rental Deposits – Councilmember Todd Lyle
9. Use of Space at Icehouse Market Events for Lexington County Animal Shelter – Councilmember Gavin Smith
10. Ratification of Council Poll, Utilities Contract – Mayor Pro-Tem Hazel Livingston
11. Up Lights on Tree Islands on Main Street – Councilmember Kathy Maness
12. Appeal of Impact Fees, Premier Elite Medical Services, Inc – Councilmember Ron Williams

**ANNOUNCEMENTS** – Councilmember Todd Carnes

**QUESTIONS FROM THE NEWS MEDIA**

**PUBLIC COMMENTS** - Re: Agenda Items

**CLOSING STATEMENT & ADJOURNMENT**