

MINUTES
Town of Lexington
Executive Session and
REGULAR COUNCIL MEETING
February 6, 2023

Town Council held an Executive Session at 5:30 p.m. followed by the Saxe Gotha – Lexington Public Facilities Corporation Board of Directors Meeting (See separate Minutes) in the Municipal Complex Conference Center followed by the Council Meeting at 6:30 p.m. on February 6, 2023 in the Council Chambers at 111 Maiden Lane, Lexington, South Carolina. The meetings were attended by: Mayor Steve MacDougall, Mayor Pro-Tem Hazel Livingston, Councilmembers Kathy Maness, Todd Carnes, Ron Williams, Steve Baker and Todd Lyle.

Staff members present were: Town Administrator Britt Poole, Assistant Town Administrator Stuart Ford, Municipal Attorney Brad Cunningham, Assistant to the Town Administrator Wesley Crosby, Transportation Director Randy Edwards, Assistant Police Chief Matt Davis, Planning, Building and Technology Director John Hanson, Utilities Director Allen Lutz, Utilities Supervisor Billy Gunter, Finance Director Kathy Pharr, Economic Developer Jack Stuart, Parks and Sanitation Director Dan Walker, Communications Manager Laurin Barnes, I.T. Manager Bea Daniels, GIS Analyst Woody Evans, Digital Media Coordinator Michael Tolbert, Assistant Municipal Clerk Karen Hanner and Municipal Clerk Becky Hildebrand.

There were approximately ten (10) citizens present and one member from the news media.

INVOCATION, PLEDGE OF ALLEGIANCE AND CALL TO ORDER: Mayor MacDougall welcomed everyone to the meeting and introduced the Council Members. Councilmember Carnes gave the invocation. Mayor MacDougall called on Lexington County Veteran US Army Retired 1st Lieutenant Tom Lucas to lead in the Pledge of Allegiance. Mayor MacDougall called the meeting to order at 6:32p.m.

STATE OF THE TOWN ADDRESS

Mayor MacDougall delivered his tenth *State of the Town Address*. (Complete copy of transcript attached.) He announced that the *State of the Town Address* would be a video for the sixth year highlighting the Town’s accomplishments in 2022 and more exciting projects in 2023. He added that the video would be played on the Town’s Spectrum Community Access Channel 1301, the Town’s YouTube and the Town’s web page. Mayor MacDougall thanked Town Staff who assisted with the *State of the Town* video.

(Video - approximately 6 minutes.)

2022 Summary

QUALITY OF LIFE PROJECTS

- Virginia Hylton Park: One of the Town's biggest renovation and expansion projects is now underway. The park will double in size to 15 acres. The park upgrade will feature a new entrance, new playground equipment, walking trails, splash pad, exercise stations and more. Construction will last throughout the year.
- Old Mill Pond Trail: Work on the Old Mill Pond dam is almost complete and the Town will soon start construction on the new one-mile walking trail that will wrap around the pond. The trail will be paved and lighted.
- Wayfinding Signs: The new Wayfinding Directional Signage was recently installed and they point people to popular destinations located within the Town limits. Future plans include adding them throughout different corridors.

TRAFFIC

- Harmon Street Light: Traffic improvements continue to be prioritized with significant progress in 2022 including where North Lake Drive was widened in front of Lexington Elementary School.
- North Lake Crossroads Project: Harmon Street was reconfigured to have direct access to North Lake at a new stoplight. Another phase of the project is planned for the future that will start at Columbia Avenue and extend down North Lake.
- Adaptive Signalization System: The final phase of the Adaptive system is now live resulting in a 25% decrease in travel time through the Town's main corridor. Now all Town maintained traffic signals are equipped with cameras that monitor traffic in real time and make adjustments based on the volume at that particular time.
- Mineral Springs at Highway 378: A dedicated right turn lane was added for turning onto Highway 378 which makes traffic move significantly better. Future plans include adding a dedicated right turn lane on Highway 378 for people turning onto Mineral Springs Road.

NEW BUSINESS/GROWTH

- The Icehouse Amphitheater continues to be a driving catalyst for growth and new development on Main Street.

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2022 Summary (cont.)

- Icehouse on Main is the final piece of the Icehouse Project and will be home to a new restaurant, retail business and professional offices.
- Town's Comprehensive Lane Use Plan underwent an 18-month rewrite to help ensure meaningful growth in the future. It included the development of a new, more sophisticated Future Land Use Map and a new policy statement to support the development of the Downtown area.

DEPARTMENTS

- Police Department continues to make Lexington a safe place to live and raise a family. Multiple Lexington Police Department Officers received statewide awards for their work. They also worked hard to keep the roadways safe resulting in a 28% decrease in DUI crimes for the past 12 months. Officers also instructed 1200 people on how to respond during an active shooter situation and how to stop life threatening bleeding in an emergency.
- Utilities Department made substantial progress in the I-20 utility service area by closing three large sewage lagoons which eliminated any possibility for raw sewage to contaminate the water in the area.
- Finance Department was recognized nationally for the 24th year with an award for transparency and overall financial health. They also received recognition for preparing the highest quality budget documents for the 14th consecutive year.

VIDEO CLOSING

Mayor MacDougall stated that the Town's Vision Plan is one of the reasons for the Town's success as it looks ahead and plans for the future. There has never been a better time to be part of Lexington and he was thankful to serve as the Mayor. He introduced the Council members in the video and thanked them for their dedication to the Town. He also thanked Communications Manager Laurin Barnes and Digital Media Coordinator Michael Tolbert for their help with the video and they did a phenomenal job putting it all together.

Following the video, Mayor MacDougall stated that he hoped everyone enjoyed the video. He added that the State of the Town would be replayed on the Town's cable channel 1301, on the Town's website and on the Town's YouTube.

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EXECUTIVE SESSION REPORT: Mayor MacDougall reported the *Executive Session* was called to order at 5:30 p.m. after a motion was made by Councilmember Williams and seconded by Councilmember Lyle to go into *Executive Session*. The motion was unanimously carried. Council adjourned from *Executive Session* at 5:58 p.m. after a motion was made by Mayor Pro-Tem Livingston and seconded by Councilmember Baker. The motion was unanimously carried. Mayor MacDougall reported that pursuant to SC Code §30-4-70(a) (1) and (2), Council met in *Executive Session* to discuss: two personnel matters; two legal items regarding pending litigation and advice regarding agenda items; and one contractual item regarding a downtown development issue. No vote was taken. A motion was made by Councilmember Baker and seconded by Councilmember Lyle to ratify the Mayor's report. The motion was unanimously carried.

DELETIONS ON AGENDA: None.

APPROVAL OF MINUTES: A motion was made by Councilmember Williams and seconded by Councilmember Maness to approve the Minutes as submitted from Council's Work Session held on January 18, 2023. The motion was unanimously carried.

PRESENTATIONS

1. **“20 Under 40 Award” to Downtown Venue Promoter Walker Brewer – Mr. Jordan Lawrence, Lexington County Chronicle:** Mr. Lawrence stated that earlier this year the Chronicle announced the winners of the inaugural Lexington's Top 20 under 40 poll which allowed them, along with their readers and the local Chambers of Commerce to highlight some of the County's most impressive young professionals. He added that among the honorees was Walker Brewer, Lexington's Downtown Venue Promoter. He stated that in Mr. Brewer's role he oversees the programming of the Town's centerpiece venue, the Icehouse Amphitheater. Mr. Lawrence stated that Mr. Brewer has and continues to make a big impact on both Lexington and the Midlands at large. Under Mr. Brewer's watch the venue has welcomed such names as Sister Hazel, Parmalee and Edwin McCain as well as establishing the popular free concert series, Lexington Live each Spring and Fall opening the venue up to musicals, film screening and other varied events. These offerings are getting results drawing 291,000 people to 99 events in 2021 per Town estimates. The growing number of eateries and night spots downtown need attractions to help them draw crowds and at the Amphitheater Mr. Brewer keeps making that happen. Mr. Lawrence stated that on behalf of the Chronicle, it was his pleasure to congratulate Mr. Brewer for being included this year's Top 20 under 40. Mr. Lawrence presented the award to Mr. Brewer.

Mayor MacDougall thanked Mr. Brewer for what he is doing because he is a one-man department, his own boss, his own worker, his own staff and he does a

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tremendous job for the Town. He added that last year Mr. Brewer managed over 96 events at the Icehouse Amphitheater which is amazing and he could not thank him enough. Mayor MacDougall stated that when the Town committed to hiring someone for the Amphitheater, they hired the right guy with Mr. Brewer and congratulated him on his award.

Mayor Pro-Tem Livingston congratulated Mr. Brewer and added that his family also sacrifices a lot when he has to be at the Amphitheater on the weekends.

Mr. Walker Brewer thanked the Mayor and Council and agreed that his family does give up a lot but they are also his biggest supporters.

2. **Proclamation for National Mentoring Month to Director of Development Viktoria McKenna, Ezekiel Ministries – Councilmember Kathy Maness:** Councilmember Maness read a proclamation naming January 2023 as National Mentoring Month. She stated that mentoring helps to guide young people to success in their educational career and well-being. (Copy attached.) She presented the proclamation to Ms. Viktoria McKenna.

Ms. Viktoria McKenna thanked the Mayor and Council for their support.

PUBLIC HEARINGS: None.

OLD BUSINESS: None.

NEW BUSINESS

1. **First Reading of an Ordinance Annexing Lexington County Tax Map #4300-07-079 located at 346 Park Road:** The Dowdy Family Trust owns .69 acres located at 346 Park Road and petitioned to annex the property. A single-family residence is located on the site. Properties in Town near this one are zoned Protected Residential and Park Road is classified as a Collector Road. The Planning Commission reviewed this annexation during their January meeting and recommended the same zoning and road classification for this property.

A motion was made by Mayor Pro-Tem Livingston and seconded by Councilmember Williams to approve First Reading of an Ordinance Annexing Lexington County Tax Map #4300-07-079 located at 346 Park Road as stated. The motion was unanimously carried.

2. **First Reading of an Ordinance Annexing Lexington County Tax Map #4319-05-001 located at 705 North Lake Drive and Lexington County Tax Map #4319-05-002 located at 608 Northwood Road:** PLCW Administrative Trust owns 1.2 acres on two parcels located at 705 North Lake Drive and 608 Northwood Road and petitioned to annex the property. Scotts Furniture store is

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located on the property. Properties in Town near these parcels are zoned General Commercial and Limited Commercial. North Lake Drive is classified as an Arterial Road and Northwood Road is classified as a Local Road. The Planning Commission will review this annexation during their February meeting to recommend a zoning and road classification for these parcels.

A motion was made by Councilmember Maness and seconded by Councilmember Carnes to approve First Reading of an Ordinance Annexing Lexington County Tax Map #4319-05-001 located at 705 North Lake Drive and Lexington County Tax Map #4319-05-002 located at 608 Northwood Road as stated. Councilmember Williams stated that he knew this business has been in the heart of Lexington for a long time and somethings may not be in compliance with the Town's standards, so how long will they have to bring those issues, such as signage, into compliance. Town Administrator Poole stated that the Zoning Ordinance gives them 10 years to bring existing signage into compliance if it is currently non-compliant. He added that this business does a lot of sale signs and in the future they will have to meet the Town's requirements which will probably limit the signage that they do on the temporary stuff. Mr. Poole added that anything else about the property is grandfathered forever unless they do something like change use or build on to the structure. The motion was unanimously carried.

3. **First Reading of an Ordinance Annexing Boardwalk Villas Condominiums:** South Carolina law allows annexation of an area if it has been requested by at least seventy-five percent (75%) of the property owners in the area. The Boardwalk Villas Homeowners Association inquired about annexing their neighborhood into the Town last Fall and the Town created an annexation petition using this method. Boardwalk Villas is a 48-unit condominium complex located in the 1500 block of North Lake Drive. Each unit is privately owned. Common areas in the development are owned and maintained by the Homeowners Association. The Homeowners Association recently returned the annexation petition to the Town with all 48 individual property owners signing to request annexation. The Planning Commission will review this annexation during their February meeting and recommend a zoning and road classification for the area.

A motion was made by Councilmember Carnes and seconded by Councilmember Baker to approve First Reading of an Ordinance Annexing Boardwalk Villas Condominiums as stated. The motion was unanimously carried.

4. **First Reading of an Ordinance Amending the Corley Mill TIF Ordinance #2018-7:** The Corley Mill TIF Bond Ordinance needs to be updated and amended to address issuance of additional roll-over Refundings of BANs. Due to the unexpected design, engineering and regulatory delays including delays directly or indirectly related to the COVID-19 pandemic, the Corley Mill Redevelopment

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Project has not been completed. The delays have resulted in BAN roll-over Refundings beyond the time provided in the original Ordinance. TIF Bonds and related Saxe-Gotha Public Facilities Corporation Bonds are financed by incremental TIF property tax revenues in the specified TIF district.

A motion was made by Councilmember Williams and seconded by Councilmember Carnes to approve First Reading of an Ordinance Amending the Corley Mill TIF Ordinance #2018-7 as stated. The motion was unanimously carried.

5. **Resolution Authorizing Saxe Gotha-Lexington Public Facilities Corporation Bond Anticipation Notes – Icehouse TIF:** The annual refunding roll-over of the Icehouse TIF BANs, which comes due on May 5, 2023, requires a Resolution from Town Council. The attached Resolution authorizes the BAN roll-over and matters related thereto. This authorization is necessary due to the project delay from the 2015 flood which resulted in the roll-over period extending beyond the time provided in the original Ordinance. This process insures the BANs are properly issued as tax-exempt notes. The TIF Bonds and related Saxe-Gotha Public Facilities Corporation Bonds and BANs are financed by incremental TIF property tax revenues in the specified TIF district. The financings are secured by an appropriations pledge to cover any potential short-fall in TIF revenues.

A motion was made by Councilmember Baker and seconded by Councilmember Carnes to approve a Resolution Authorizing Saxe Gotha-Lexington Public Facilities Corporation Bond Anticipation Notes – Icehouse TIF as stated. The motion was unanimously carried.

6. **Pilgrim Point Streetlights:** Historically the Town has paid a portion of the streetlight bill for Pilgrim Point residents. In accordance with the Town's Residential Streetlight Ordinance, the Pilgrim Point Homeowner's Association requested that the Town again pay a pro rata share of their streetlight bill. (Copy of letter attached.) There are 48 lots in Pilgrim Point and the Town Ordinance states that the Town would be responsible for one (1) streetlight per six (6) lots, which equals eight (8) lights. The total requested is \$2,146.56 (22.36 x 8 x 12). Funds would come from the Transportation budget, account #100-5-665-520.

A motion was made by Councilmember Lyle and seconded by Councilmember Williams to approve paying a pro rata share of the Pilgrim Pont streetlights totaling \$2,146.56 as stated. Mayor MacDougall requested, for the record, why the Town pays this request separate from all other neighborhoods. Town Administrator Poole responded that each neighborhood in Town has their streetlights paid by the Town with a few rules such as a certain number of houses per light and have public streets. He added that Pilgrim Point has private streets and do not qualify through the standard method and have to ask every year to get the same benefit as other neighborhoods. Mr. Poole added that other neighborhoods with

private streets could come along and we would have the same situation. The motion was unanimously carried.

7. **Market at Icehouse Policy Update:** A copy of the proposed update to the Market at Icehouse Policy was provided to Council. (Copy attached.) The proposed changes include a five dollar (\$5.00) vendor fee with a waiver for vendors that have a Town of Lexington Business License, limitations on the number of Markets allowed for vendor registration and a limitation on the number of vendors having similar products on the same Market date.

A motion was made by Mayor Pro-Tem Livingston and seconded by Councilmember Lyle to approve the amended Market at Icehouse Policy as stated. Town Administrator Poole commented that at Council's Work Session a question came up on this item to compare the Icehouse to Soda City in Columbia. He stated that Mr. Brewer had done some research which is significant in that a weekly booth renter at Soda City would pay \$4,589 a year. He clarified that is a \$40 application fee, \$129 fee and \$84 per week that they attend and it is even higher for food trucks who pay all the other fees except \$144 per week totaling \$7,700 a year. He stated that in comparison the Town's vendors would pay \$50 for the year. Councilmember Maness asked if you have similar product vendors, how do you decide. Mr. Brewer responded that it is a first come first serve basis on each week and those vendors can only sign up for one-half of The Market. Councilmember Maness did not see the "first come first serve" wording in the policy. She asked if it was not in the policy could it be added since placing a limitation on it this year is different. She requested that the motion be amended to include the proper wording. Mayor Pro-Tem Livingston agreed to amend her motion to include it. Councilmember Lyle agreed to amend his second. The amended motion was unanimously carried.

ANNOUNCEMENTS

Councilmember Baker made the following announcements: (1) He thanked Mayor MacDougall for the State of the Town Address and added that it was a great summary of the many projects going on in the Town of Lexington. (2) Congratulations again to Walker Brewer for being named one of The Lexington Chronicle's 20 under 40 professionals. Great job Walker! (3) The Chili Cookoff will be on Sunday, February 19th, from 12:00 to 5:00. This is always a great event hosted by the Town of Lexington, the Lexington County Blowfish and the Old Mill Brew Pub. If you want to participate as a team, email john@oldmillbrewpub.net. Tickets for the event are \$12 in advance or \$15 day of the event. Ages 5-12 are \$5.00 and kids 4 and under get in free. Admission includes music by Freeway Music School and Under the Sun and unlimited chili samples. All proceeds go to local charities. (4) The Traffic Committee will meet on February 15th at 8:00 in the 3rd floor conference room. (5) Town Hall will be closed on Monday, February 20th, in observance of Presidents Day. (6) Town Council will

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meet again on Tuesday, February 21st at 6:00 for the Council's Work Session. (7) The Planning Commission will meet on February 22nd at 8:00 a.m. here in the Council Chambers.

Personal Announcement: Councilmember Baker announced that this would be his last meeting as a Councilmember (effective February 28, 2023) as he would be resigning as a result of moving his family to Florida in order for him to accept a great opportunity there. Councilmember Baker wished to summarize his service on Town Council and the reason he ran in the first place in 2015 and 2016 when they were first in the south and all the Presidential candidates were coming through Columbia. He stated that he went to see all of them speak and a stirring started within him. Councilmember Baker stated after that Billy Graham's son came to Columbia on his Decision America Tour and he called Christian people to run for office, all levels of public office, which made him feel a certain way. He then discussed it with his family and friends and soon met Craig Caldwell, Chairman Lexington County GOP, who suggested that the "stirrings" he felt was the Holy Spirit and he should respond to it immediately instead of some future date. He then made the decision to go for it. At that time in order to get on the ballot the Town required a Signature Petition and if you knew what to do you had an advantage, but he did not know what to do. He and Councilmember Carnes discussed if he made it to the ballot and on Council they would get rid of Signature Petitions and they did. Councilmember Baker stated that he had a number of signatures to collect and in his brain that number was 1,000 and five weeks to collect them. During the first three weeks he was hustling by knocking on doors and doing all kinds of stuff that was not effective and he only collected 400 signatures with 600 more needed in two weeks. He added that on that Sunday night he prayed to God and said "God, if you really want me to do this thing then you are going to have to show up and do something because it's not looking good". That Monday night it rained, that Tuesday night it rained, that Wednesday night it rained and that Thursday night it rained and that was not ideal weather for going out getting signatures on a sheet of paper. He said "OK God, I see what you are doing here" like maybe it was my sign to hand it up. With a week left, he decided to go to the end. During the last week and weekend friends and family came out of the woodwork to help out. In four weeks he collected 400 signatures and in one week he collected another 600 signatures. He submitted 1,002 signatures and made it onto the ballot and once he was on there it was hustle, hustle. Councilmember Baker stated that David Perry told him that when he was running against Nikki Haley for State Representative, she was in front of all the neighborhoods early in the mornings with donuts, coffee and a bunch of signs so he told David that Nikki kicked his butt so he thought he would go do that. He worked hard at it every morning with the help of a lot of volunteers and he wished to thank all of them. At the end of the day that was successful strategy and he ended up on this Council. He had told the other people running that he wasn't running against any of them, he was just running to win. He felt God had called him to run, therefore he was in it to win it. Councilmember Baker stated that now six years later, they have done a lot of good stuff and he never imagined that he would sit on a Town Council or be in any kind of elected position and it has been a real honor. He wished to highlight a few accomplishments from the past six years and brag for a minute. He stated that when he was knocking on doors people expressed their

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concern over traffic and there are currently a number of traffic projects meaning Council has heard them and has done some projects and more to come. He was proud of what has been completed such as the One-Way Pairs, widening on South Lake and Ginny Lane was a huge improvement if you have kids out there. He added that the Town has the LTIP, the Lexington Transportation Improvement Plan with approximately 30 projects listed so when he says that your Council hears you, they have shown it with many traffic plans. Councilmember Baker stated that another project removing one of the largest polluters in that area, the Carolina Water/Blue Granite Company was polluting our rivers and lakes and he could proudly say they are not doing it anymore as a result of the Council's efforts. He thought there was some confusion when he first came onto Council because there were so many awesome things being talked about inside Town Hall, but on the outside people didn't know so much about it. Council decided to bring Laurin Barnes on board and she has done a phenomenal job telling our story and now we have more Facebook followers than the City of Charlotte which is outrageous. Councilmember Baker addressed the citizens and stated that when Council goes to conferences people always say "wow" Lexington has it going on, you're doing such good stuff, you have to tell us how you are doing it. He explained when he first got here he had heard that and now he has experienced that. He added that it is such an encouragement that people around the State recognize what Council is doing and want to emulate it. Councilmember Baker stated that some learnings that impacted him was that faith and obedience can take you places you do not even imagine just as he never imagined sitting in a Council seat. Secondly, when he first ran for Council he did not feel qualified at all but he believed that God qualified the called instead of calling the qualified. He added that his thing was the willingness to engage with folks who have different opinions even when they are controversial and maintaining healthy curiosity by asking a lot of questions which has served him well. Councilmember Baker stated that just growing and problem solving and searching for solutions had also served him well. He added that the Town has tremendous things going on and at the same time we have significant opportunities to continue improving. He offered another recognition to the Lexington Police Department where we have super professional people and it has been an honor to work with them and to do ride-a-longs and experience how they work in our community. He added that when the Police Department says they are looking to build a community and serve, they are serious about it. He felt they will set the bar no matter where he goes. Councilmember Baker stated that this Council and this Town have people here that honor God and are here for the right reasons. He added that Lexington has experienced the black eye of people being here for the wrong reasons and right now he could tell the citizens that having served with them for a number of years, everybody here believes in God and wants to honor Him. He stated that looking forward, the best is yet to come and we have more exciting things that are going to happen here. Councilmember Baker stated that even though it will be from a distance, he could not wait to see Virginia Hylton Park come to fruition, and see more traffic projects completed and some of the other things coming down the pipe. He wished to thank everyone. (*Standing ovation.*)

Mayor MacDougall stated that he could echo everything that Councilmember Baker said and everything he contributed in a very short time was tremendous and he could not

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thank him enough. Mayor MacDougall wished to present a surprise proclamation to Councilmember Baker. He read in part that Councilmember Baker has been a resident of Lexington since 2001; he was elected to Town Council on November 8, 2016 for his first term as the youngest Councilmember and reelected on November 2, 2021; he has been considered a very valuable member of Town Council; not afraid to ask the hard questions; always put Town citizens first; he has been an important decision maker in all successes that the Town is now witnessing; he will be greatly missed by his fellow Councilmembers, Staff and friends as he pursues exciting new opportunities; and he and his family were wished much happiness. (Copy attached.)

Mayor Pro-Tem Livingston stated that everyone would miss Councilmember Baker and his family and watching those beautiful little girls grow up. Councilmember Baker thanked her and added that his daughter is here tonight as a seven year old and when he ran for Council she was one. He added that she is doing great in school and she and her sister are beautiful and he is very honored to be their father.

NEWS MEDIA QUESTIONS

Mr. Jordan Lawrence, Lexington County Chronicle asked Councilmember Baker where he would be moving to. Councilmember Baker responded that they would be moving to the Orlando area. He added that they had not purchased a house yet but they hoped to be in the Winter Garden area.

PUBLIC COMMENTS: None.

ADJOURNMENT

Mayor MacDougall thanked the Councilmembers and citizens for attending the Council meeting. He thanked those at home for viewing the Council meeting on cable channel 1301 and added that it would be replayed several times during the week. He stated that it can also be viewed on the Town's website at www.lexsc.com or the Town's YouTube.

Mayor MacDougall stated that without objection from Council, he declared the Council meeting adjourned. The Regular Council meeting adjourned at 7:18 p.m.

Respectfully submitted,

Becky P. Hildebrand, CMC
Municipal Clerk

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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.