

MINUTES
Town of Lexington
Executive Session ,
STATE of the TOWN ADDRESS, and
REGULAR COUNCIL MEETING
February 3, 2020

Town Council held an Executive Session at 5:30 p.m. followed by the *State of the Town Address* and Regular Council meeting at 6:30 p.m. in the Council Chambers on February 3, 2020. 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, Transportation Director Randy Edwards, Police Chief Terrence Green, Planning, Building and Technology Director John Hanson, Community and Economic Development Johnny Jeffcoat, Utilities and Engineering Director Allen Lutz, Utilities Superintendent David Patton, Finance Director Kathy Pharr, Parks and Sanitation Director Dan Walker, Assistant Parks and Sanitation Director Johnny Dillard, Downtown Venue Promoter Walker Brewer, Events and Media Coordinator Laurin Barnes, Digital Media Coordinator Darrell Pritchard, Assistant Municipal Clerk Karen Hanner and Municipal Clerk Becky Hildebrand.

There were approximately eight (8) citizens present for the Council meeting and no members of the news media were present.

INVOCATION, PLEDGE OF ALLEGIANCE AND CALL TO ORDER: Mayor MacDougall welcomed everyone to the meeting and introduced the Council Members. Pastor Ken Jumper, Harvest Church of Lexington, gave the invocation. Councilmember Lyle led in the Pledge of Allegiance. Mayor MacDougall called the meeting to order at 6:33 p.m.

STATE OF THE TOWN ADDRESS

Mayor MacDougall delivered his seventh State of the Town Address. (Complete copy attached.) He stated that the State of the Town Address would be a video for the third year which highlighted the Town's accomplishments in 2019 and addressed goals and projects for 2020. He announced that the video would also be played on the Town's Spectrum Community Access Channel 1301 and be replayed on the Town's web page. Mayor MacDougall thanked the Town's Digital Media Coordinator Darrell Pritchard and Events and Media Coordinator Laurin Barnes for their time and talent in producing the State of the Town video.

(Video approximately 7 minutes.)

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- 2019 Summary:
1. Traffic Improvements - \$4 million
 2. Excellence in Law Enforcement
Pat Jeffcoat Serenity Park Opened as part of Virginia
Hylton Park Expansion Plans
 3. GFOA Finance Award
 4. Bruner Road – Utilities Maintenance Buildings
 5. Increase in Business Licenses and Gross Sales
- 2020 Projects:
1. Road Improvements - \$9 million in 2020
N. Lake Widening and Relocation of Dreher Street
 2. Impact Fees and Business Licenses
 3. Gibson Pond Dam
 4. Old Mill Pond and Old Mill Walking Trail
 5. New Pavilion at the Icehouse Amphitheater

Following the video, Mayor MacDougall stated that he hoped everyone enjoyed watching the video as much as he did making it. He added that he was very proud of all the work that has been done and this is a little town, growing very rapidly. Mayor MacDougall thanked everyone and stated that everyone working in Town Hall was involved in all the projects.

EXECUTIVE SESSION REPORT

Mayor MacDougall reported that the *Executive Session* was called to order at 5:30 p.m. after a motion was made Councilmember Williams and seconded by Councilmember Lyle to go into *Executive Session*. The motion was unanimously carried. Council adjourned from *Executive Session* at 6:01 p.m. after a motion was made by Councilmember Baker and seconded by Councilmember Carnes. 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 legal issues regarding a discussion of pending litigation and legal advice regarding agenda items; one contractual matter related to a downtown economic development issue, and one personnel item regarding position rights and responsibilities. No vote was taken. A motion was made by Councilmember Baker and seconded by Councilmember Maness to ratify the Mayor's report. The motion was unanimously carried.

DELETIONS ON AGENDA: None.

PRESENTATION

1. **2019 Town of Lexington Employee Contributions to the Lexington Medical Center Foundation – Lauren Peebles, Senior Development Officer and Amy Lanier, Executive Director of LMC Foundation:** Mayor MacDougall asked Ms. Peebles to extend the Town's best regards to Ms. Barbara Willm who could not be present tonight. He welcomed Ms. Peebles. Ms. Peebles wished to thank the Town employees for selecting the Lexington Medical Center Foundation, for the

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third year, as their beneficiary of their annual giving campaign. She thanked the employees for choosing to invest back into the community. Ms. Peebles added that because of their generosity the Foundation is able to provide hope for their patients.

PUBLIC HEARINGS

Mayor MacDougall called the Public Hearing to order and requested that those wishing to speak limit their comments to five minutes.

1. **Final Reading** of an Ordinance Annexing Lexington County Tax Map #5311-01-130 located at 304 Montrose Drive.

There being no comments, Mayor MacDougall declared the Public Hearings closed.

OLD BUSINESS

1. **Final Reading of an Ordinance Annexing Lexington County Tax Map #4323-05-011 located at 702 West Main Street:** Councilmember Maness stated that before she made a motion she would like to call on Mr. Hanson to report any new information from the developer regarding the connectivity issue. Mr. Hanson stated that he and Mr. Edwards met with the developer and a representative from the adjacent church property following the last Council meeting to explain the concerns about connectivity and ingress and egress. It was Mr. Hanson's understanding that the developer was going to have another meeting with the church to provide some options. At this time, Mr. Hanson had not received any information if the meeting had occurred and if so, was it a negative or positive meeting. A motion was made by Councilmember Maness, based on the information provided by Mr. Hanson, and seconded by Councilmember Williams to **table Final Reading of an Ordinance Annexing Lexington County Tax Map #4323-05-011 located at 702 West Main Street for one more month and hold the utility service for one more month and make a final decision at the next Council meeting if they find that the developer has taken care of the connectivity issues.** The motion was unanimously carried. (Copy attached.)
2. A motion was made by Mayor Pro-Tem Livingston and seconded by Councilmember Maness to approve **Final Reading of an Ordinance Annexing Lexington County Tax Map #5311-01-130 located at 304 Montrose Drive:** The motion was unanimously carried. (Copy attached.)

NEW BUSINESS

1. **First Reading of an Ordinance Authorizing Issuance of General Obligation Bonds:** The Town's General Government Capital Improvements Plan for Fiscal Years 2020 through 2024 totals approximately \$13.4 Million. The financing

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plan provides for construction period project costs to be initially financed by Bond Anticipation Notes (BANs). Permanent (long-term) financing will ultimately be accomplished with a mix of General Obligation Bonds and Revenue Bonds supported by Impact Fee and Hospitality Tax revenues. In order to issue General Obligation Bonds and related BANs the Town must adopt an Ordinance providing for the issuance of the Bonds and BANs. To provide maximum flexibility the Ordinance will provide for authorization of up to \$8M. Budget and Finance: State Law allows for BANs to be issued with maturities of up to one year. The use of low interest short-term BANs is designed to minimize overall financing costs and maintain financial flexibility during the project construction phase. Long-term financing will include both General Obligation Bonds and Revenue Bonds. The ordinances will provide for multiple possible funding sources for future debt service including ad valorem tax, and Impact Fee and Hospitality Tax revenues. (Copy attached.)

A motion was made by Councilmember Carnes and seconded by Councilmember Williams to approve First Reading of an Ordinance Authorizing Issuance of General Obligation Bonds as stated. The motion was unanimously carried.

2. **First Reading of an Ordinance to Amend the Icehouse Tax Increment Financing Ordinance (Title Only):** The Icehouse TIF Bond Ordinance needs to be updated and amended to address issuance of additional roll-over refundings of BANs. Due to the flood in 2015 the Old Mill Trail Project has not been completed. The Trail is one of the Redevelopment Projects in the Icehouse Redevelopment Plan which needs to be completed prior to issuance of the long-term TIF financing. The project delay has resulted in BAN roll-over refundings beyond the time provided in the original Ordinance. Additionally, other tax law related modifications are needed to ensure compliance with all IRS regulations governing these types of financing. Budget and Finance: TIF Bonds and related Saxe-Gotha Public Facilities Corporation Bonds are financed by incremental TIF property tax revenues in the specified TIF district. The financings are secured by appropriations pledge to cover any potential short-fall in TIF revenues. (Copies attached.)

A motion was made by Councilmember Williams and seconded by Councilmember Lyle to approve First Reading of an Ordinance to Amend the Icehouse Tax Increment Financing Ordinance (Title Only) as stated. The motion was unanimously carried.

3. **Rezoning of Lexington County Tax Map #4300-04-167, #4300-01-076 and Portions of #4300-01-064 located off Caughman Farm Lane:** Springdale Development requested to rezone property located at 191 Caughman Farm Lane from General Commercial and Limited Commercial (LC) to Protected Residential 2 (PR2). The request was made to facilitate the development of an 81 unit subdivision. Properties adjacent to this one are zoned General

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Commercial and Protected Residential. The Planning Commission reviewed this request during their January meeting and recommended approval of the rezoning.

A motion was made by Councilmember Baker and seconded by Councilmember Williams to approve Rezoning of Lexington County Tax Map #4300-04-167, #4300-01-076 and portions of #4300-01-064 located off Caughman Farm Lane as stated. Councilmember Williams wished to clarify that during the Planning Commission meeting it was stated that this would be an age restricted community. Mr. Hanson stated that was true and it was an extension of an age restricted community which was approved in July. Councilmember Carnes asked if part of the request to the Planning Commission included a site plan because Council did not have one in their package. Mr. Hanson responded that item one in the Planning Commission was approval of the site plan pending final approval for the rezoning. Councilmember Carnes requested to see a copy of the site plan. The motion was unanimously carried.

4. **Pilgrim Point Street Lights:** Historically the Town has paid a portion of the street light bill for Pilgrim Point subdivision residents. In accordance with the Town's Residential Street Light Ordinance, the Pilgrim Point Homeowner's Association requested that the Town again pay a pro rata share of their street light 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) street light per six (6) lots, which equals eight (8) lights. The total requested is \$1,669 (\$17.39 x 8 x 12). Funds come from the Transportation budget, account #100-5-665-520.

A motion was made by Councilmember Lyle and seconded by Mayor Pro-Tem Livingston to approve partial payment of Pilgrim Point Street Lights as stated. Councilmember Lyle requested that Town Administrator Poole explain why the Town pays a portion of the street lights. Mr. Poole explained that the Town has an ordinance that pays for the street lights in neighborhoods with the assumption being it is for public roads and lighting is part of that responsibility. He added that the Town pays for a certain number of street lights in every neighborhood in Town except for Pilgrim Point because they have a completely private street system and do not qualify under the ordinance. Mr. Poole stated that they can make a request every year for reimbursement for those costs which means they are treated the same as everyone else. The motion was unanimously carried.

ANNOUNCEMENTS

Mayor Pro-Tem Livingston made the following announcements: (1) She thanked Mayor MacDougall for delivering the State of Town Address tonight and added that the video gives citizens a great overview of projects going on in Lexington. She encouraged

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citizens to contact Council or Staff if they had questions about specific projects. (2) It will be another busy spring at the Icehouse Amphitheater - the Lexington Live FREE Spring Concert Series is seven weeks this year starting with Finesse Band on April 9th. Please visit icehouseamphitheater.com for a complete list. (3) Other upcoming events at the Icehouse Amphitheater include: The Lexington County Murder and Mystery Tour is this Saturday at 8:00 and will start at the Icehouse Amphitheater. This is a free event. The Lexington County Chili Cookoff is this Sunday from 12:00 to 5:00. Tickets are \$10 and all proceeds go to local charities. The movie "Playing with Fire" will be showing on March 6th at 6:30 and it is free. The Eagles Tribute band – ON THE BORDER is back by popular demand on April 24th at 6:00. Tickets are \$15.00 and are selling fast! (4) The Board of Zoning Appeals will meet this Thursday at 5:30 in the Council Chambers. (5) Town Hall will be closed Monday, February 17th in observance of President's Day. Council will meet again on Tuesday, February 18th at 6:00 for Council's Work Session. (6) The Planning Commission will meet on February 19th at 8:00 a.m. in the Council Chambers. Mayor Pro-Tem Livingston thanked everyone for watching their Town Council in action tonight.

Councilmember Williams wished to welcome the new Principal at Lexington Elementary School, Dr. Timothy Carnaham, who will be moving to Lexington very soon.

NEWS MEDIA QUESTIONS: None.

PUBLIC COMMENTS: None.

ADJOURNMENT

Mayor MacDougall thanked the Council members and citizens for attending the Council meeting. He thanked those at home for viewing the Council meeting on Channel 1301 and it will also be replayed several times during the week.

Mayor MacDougall stated that without an objection from Council, he would declare the meeting adjourned. The Regular Council meeting was adjourned at 7:00 p.m.

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.