

MINUTES
Town of Lexington

Council Work Session

March 15, 2021

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Town Council held an Executive Session and a Special Council meeting prior to the Council Work Session (see separate minutes) starting at 5:30 p.m. on March 15, 2021 at Town Hall in the Eli Mack, Sr. Room located 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, Police Chief Terrence Green and two Police Officers, Planning, Building and I.T. Director John Hanson, Utilities Director Allen Lutz, Parks and Sanitation Director Dan Walker, Assistant Parks and Sanitation Director Johnny Dillard, Assistant to the Town Administrator Wesley Crosby, Communications Manager Laurin Barnes, Assistant Municipal Clerk Karen Hanner and Municipal Clerk Becky Hildebrand.

There were three (3) citizens present and one member of the news media was present.

OPENING STATEMENT and 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 comments 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 taped for use by the Municipal Clerk only and Minutes are taken and posted on the Town’s web page following approval of Council.”*

Mayor MacDougall called the meeting to order at 6:08 p.m.

DELETIONS/ADDITIONS ON AGENDA: There being no objection from Council, Mayor MacDougall requested to add a sponsorship request from The Herb Bunch for the “It’s All About Herbs Festival”. Mayor MacDougall stated that the request letter came in last week after the agenda was already complete. He added that Council had contributed to the festival in some previous years and

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this year there are three sponsor levels. Mayor MacDougall stated that the founder of this group passed away last year and this year's event is in her honor. Councilmember Maness stated that she did not think the Town had donated to this event for the last two years. Municipal Clerk Hildebrand stated that the event was not held last year; the Town did not contribute in 2019; but did make a donation in 2018. Councilmember Maness stated that she did not have an objection. The item was added to the agenda as item #2.

APPROVAL OF MINUTES: A motion was made by Councilmember Williams and seconded by Councilmember Lyle to approve the minutes as submitted for Council's Work Session held on February 16, 2021. The motion was unanimously carried. (Copy attached.)

PRESENTATIONS

1. **Mr. Hal Stevenson, Grace Outdoor - Sign Design:** Mr. Stevenson stated that he had a brief conversation with a Councilmember who recommended that he come and speak to Town Council about digital applications and, in his case, digital billboards. He hoped Council had received correspondence from him in the past year where he proposed a billboard on a piece of property owned by Mr. Jim White, who was present. Mr. Stevenson stated that he has been in this business for 35 years and digital signage is the new way to do things in his industry. He added that he understands that Town Council has to deal with all types of signage, but his particular interest is in digital signage. Mr. Stevenson stated that there are a number of digital billboards in Lexington County and he was not sure if some of the properties out Highway 378 had been annexed into the Town. He wanted to have a conversation with Council about moving forward and Mr. Poole requested that he provide a proposal for Council. He added that he had looked at other ordinances and came up with one, but he does not write ordinances and may need some help with it. He thought if it made sense to Council and they were willing to look at the possibility, then they may give him permission to work with Staff to come up with an ordinance. He added that a couple years ago the Lexington Chamber had some sign issues but it was not germane to what he does. Mr. Stevenson stated that he had discussed it with Mayor Pro-Tem Livingston a couple years ago and then COVID hit, but he would now like to get it back on Council's agenda. He added that they have pretty good coverage in Lexington, but in the center of Town seems like a good opportunity to do something special. Mr. Stevenson stated that many municipalities around the country have looked at digital signage and have seen opportunities for public announcements, law enforcement, and non-profits, not just commercial use. He stated that this was the first step in getting Council's feedback and then work with Staff. Mr. Stevenson asked Council if they had any questions prior to allowing him to work with Staff.

Mayor MacDougall asked Council if they had any questions.

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Councilmember Baker asked Mr. Stevenson what type of outcome he had in mind. Mr. Stevenson responded that he would like to look forward and use some type of technology with signs. He added that there is concern in his industry about signs that do not have brightness controls, but there are more expensive signs that do have it. Mr. Stevenson stated that they sell advertising with their signs so they have an income stream to support the use of a high level of technology to keep the sign from becoming obnoxious. He added that Council had probably seen some signs that have too much glare. Mr. Stevenson would want the bar set very high if the signs were allowed even if it would cause some to not go into that level of signage. He sent Council some renderings of the proposal for Mr. White's property on Highway 6. Mr. Stevenson stated that they tried to design something there that took off on the amphitheater look and would be a welcome sign to Lexington and be seen as something that the Town is active and involved in, which is ancillary to discussing technology. He added that hopefully they could find some common ground where the community will feel served and the Council will be comfortable with it.

Mayor Pro-Tem Livingston stated that the Town does not allow billboards. She added that Council caught a lot of flak from a billboard put up on Highway 1 but it was not in Town. Mr. Stevenson stated that happened to him about 20 years ago when a company came in from out of town and found a doughnut hole in the city lines. Mayor Pro-Tem Livingston asked Town Administrator Poole what Council would have to do if they wanted to change it. Town Administrator Poole responded that Council would have to change the ordinance. Mr. Stevenson stated that they would like to be partners with the Town. He added that they have lived in Columbia for 35 years and do a lot of business in Lexington. Mr. Stevenson stated that he saw last summer where some smaller signs were now allowed on the interstate, when for many years that was not allowed and Council had enacted a change. He proposed a sign with a particular look, something that is useful and not obnoxious, all of which can be regulated. Mr. Stevenson added that this is not the first time they have dealt with local people in trying to come up with what pleases them and their sensibility.

Councilmember Carnes asked what the regulations are in Lexington County. Mr. Stevenson responded that Lexington County's ordinance states that you cannot put a sign with 1,000 foot radius spacing on a major artery or interstate and there is a 2,000 foot radius on single road which was put in place in the 1990's. He added that there are other road restrictions. Mr. Stevenson stated that the County also has a restriction of 1,000 feet from the city limit line. He added that there has not been a lot to go up except when out of town companies come in, like out of Atlanta, and run around finding doughnut holes to put signs up.

Councilmember Williams stated that Mr. Stevenson had mentioned that the technology is out there, but if an ordinance is developed, how will Staff know

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the technology is there and how will the Town enforce it. Mr. Stevenson responded that when a company brings a plan in to install a sign they have to clearly show that the technology is included in the structure. He added that they now have nit-guns that can be used by a Code Enforcement Officer to measure brightness. Mr. Stevenson stated that the standard is .3 foot candle illumination, but if you were in a parking lot area it may be brighter, however methods of enforcing it are available. He thought it was important to require it to be automatic so you would not have to depend on someone to manually dim the brightness. He added that there are also automatic cut offs in case something goes wrong with the sign. Mr. Stevenson stated that he would be happy to bring all the information to Mr. Poole so he and Staff could help work through it so brightness should not be an issue. He added that the second issue that may come up is for no scrolling or flashing as indicated in the State Law. He advised Council that if they see a scrolling sign it may be an on-premise sign and SCDOT has no control over those.

Mayor MacDougall stated that this is a pretty heavy lift from his perspective and the others could speak for themselves. He stated that (1) We currently have 37 billboards in the little Town that we have, even though it is growing; and (2) He has only been on Council a short 10 years, which has gone by so fast because he has had so much fun, but there were some people that Council made them take down some pretty expensive signs and go back to regular signs because they did not fit the ordinance. He added and now we may try to change it back where they could have kept their sign in place and not lose the money they spent on the new sign plus the old sign. Mayor MacDougall confirmed that some of the signs were monument signs and some had used technology, but those people were impacted pretty heavily and for us to go backwards on them would be a tough conversation to have and to smooth over.

Mr. Stevenson commented that some of those people may like to now come back with a digital component. He was surprised by the 37 number of billboards in Town and he guessed that some of those were originally outside the Town limits and were annexed in later. Mr. Stevenson stated that they try to be good corporate partners as with a sign they have in Columbia in The Vista where events are announced on the sign such as the ballet and other non-profit groups. He would like to see the same thing in Lexington. Mr. Stevenson stated that Lancaster County has a dedicated site where they make the decisions for the sign. He added he has been in the business a long time and he has heard people say they do not like billboards, but say they like digital billboards because they get a lot of information from them. Mr. Stevenson stated that he understands that Mayor Pro-Tem Livingston has done a good job over the years trying to keep signs looking good and they want to try and conform in some way where the aesthetics of things are something to be proud of. He knows it will take more work and knows that it will not happen overnight. Mr. Stevenson stated that what they are trying to do with Mr. White's property is a separate issue, but has a digital component and that

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may be a place to talk about some things. He would like to get Council's permission to get with Mr. Poole to go a little deeper into that project. Mr. Stevenson concluded that it is a high bar but he wants to take the time and effort to make sure that Council has all the information possible to make the best decision they can.

Councilmember Maness asked about the location of the billboard in The Vista and the one in Lancaster. Mr. Stevenson responded that it is across from the State House and on the opposite corner from Cola's Restaurant. He added that they call it a super flag at the corner of Assembly and Gervais Street. Mr. Stevenson stated that they also have a couple on Highway 378 near I-20 and they would be easier for Council to view. He added that the one in Lancaster is at Highway #160 and #521. Mr. Stevenson stated that the Indian Land Action Council called him to say it was the best thing that ever happened because of the local communications. He added that they don't always hear that information. Councilmember Maness stated that she appreciated Mr. Stevenson's trade association working with the National League of Cities a couple years ago with the "I Love My City" campaign.

Mr. Stevenson stated that he would like to communicate through Mr. Poole and then Mr. Poole could communicate back to Council. He stated that they want to help make it a community communication device and, even though it is a billboard off premise, you have to take the stereotype of billboards out and ask how you can do something aesthetically that can drive service to the community but not be an eyesore.

Councilmember Lyle asked where this Council could go to determine if other municipalities are satisfied with digital billboards and why, so they would be able to explain it to citizens if they complained. Mr. Stevenson responded that he operated out of Shelby County, Tennessee for a couple years and they went through a process of digitizing. He has a copy of their ordinance which is also used by their trade group, National Advertising Association of America. He added that there are many instances where signs went on municipal or government property including the City of Charlotte. He offered to get as much information from other municipalities as he could to get the process started. Mr. Stevenson stated that he knew Council was busy with a lot going on in Lexington, but he would stay in communication with Mr. Poole and allow enough time for Council to have the information prior to voting.

Mr. Stevenson stated that just today they started an installation in Winnsboro and they are very excited to have new technology. They also installed a sign in Allendale a few years ago. He added that they like to work with everyone and he feels they are part of the communities. He stated that they want to make money, of course, but they also see it as an opportunity to communicate in the community in a good positive way. Mr. Stevenson stated that if digital signs were done correctly, they can be a real asset for a community.

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Mayor MacDougall stated that Staff knows where Council stands on it and the Town would be foolish not to look at something if it is worthy of what the Town is doing and how we are doing it, then we should look at it. He added that if it did not fit with the Town's plans then Council may have to tell him we're sorry but we cannot do it. Mr. Poole stated that he would follow up with Mr. Stevenson.

BUSINESS ITEMS: (For discussion and recommendation for Council's April 5, 2021 Regular Council Meeting.)

1. **Resolution Authorizing Saxe Gotha-Lexington Public Facilities Corporation Bond Anticipation Notes Icehouse TIF – Assistant Town Administrator Stuart Ford:** Mr. Ford explained that this Resolution puts it on record that the Town is supportive of the Corporation BANs which became necessary due to the delay of a project and extended beyond the original ordinance's five year anticipated construction period. He stated that the Corporation Board met and approved it last month and this is for the Town's side of it.

The Lexington Town Council needs to authorize an additional roll-over refunding of the Icehouse TIF BANs which come due on May 7, 2021. The Resolution authorizes the BAN roll-over and matters related thereto. (Copy attached.) 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. Council was asked to place this item on their April 5, 2021 agenda to adopt a Resolution to Authorize Saxe Gotha-Lexington Public Facilities Corporation Bond Anticipation Notes – Icehouse TIF and matters related thereto.

Budget and Finance: 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 Williams and seconded by Councilmember Baker to place the item on Council's April 5, 2021 agenda for approval. The motion was unanimously carried.

2. **(Added) Sponsorship Request from The Herb Bunch (It's All About Herbs):** Mayor MacDougall explained that this is the item he requested to add to the agenda for consideration which was submitted by Ms. Beverly Kleckley, Cofounder of The Herb Bunch. (Copy attached.) He stated that there are three levels of sponsorships: Gold \$350+, Silver \$250, and Bronze \$150. The It's All About Herbs Festival will be held at the Lexington Museum on April 10, 2021 from 9:00 a.m. to 3:00 p.m.

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Mayor MacDougall called for a motion to add this sponsorship request to Council's April 5, 2021 agenda for consideration. There being no motion, the item failed.

COUNCIL/STAFF COMMENTS: None.

PUBLIC COMMENTS: None.

NEWS MEDIA COMMENTS: None.

ADJOURNMENT: Mayor MacDougall thanked everyone for attending the meeting. There being no objection from Council, Mayor MacDougall adjourned the Council Work Session at 6:33 p.m.

Respectfully submitted by:

Becky P. Hildebrand, CMC

APPROVED BY:

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.