

MINUTES
Town of Lexington

REGULAR COUNCIL MEETING
June 13, 2022

Town Council held an Executive Session followed by a Council Work Session in the Municipal Complex Conference Center, followed by the June Regular Council meeting (*separate minutes*) in the Council Chambers on June 13, 2022 at 111 Maiden Lane, Lexington, South Carolina (*summer schedule*). The meetings were attended by: Mayor Steve MacDougall, Mayor Pro-Tem Hazel Livingston, Councilmembers Todd Carnes and Steve Baker. Councilmembers Kathy Maness, Ron Williams and Todd Lyle were absent.

Staff members present were: Town Administrator Britt Poole, Assistant Town Administrator Stuart Ford, Assistant to the Town Administrator Wesley Crosby, Municipal Attorney Brad Cunningham, Transportation Director Randy Edwards, Police Chief Terrence Green, 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, Assistant Municipal Clerk Karen Hanner and Municipal Clerk Becky Hildebrand.

There were approximately twenty (20) citizens present and no news media members were present.

INVOCATION, PLEDGE OF ALLEGIANCE AND CALL TO ORDER: Mayor MacDougall welcomed everyone to the meeting and introduced the Council Members. He added that Councilmembers Maness, Williams and Lyle would not be present tonight. Councilmember Carnes gave the invocation. Lexington County Veteran Terry Hicks led in the Pledge of Allegiance. Mayor MacDougall asked Mr. Hicks to tell the audience a little bit about himself. Mr. Hicks stated that he is a member of the Lexington County Veterans group which at one time was only open to Vietnam Veterans. He encouraged others to join, there is no fee to join and it is a wonderful group. Mr. Hicks explained a little about the group and what they do. They meet each Tuesday at the American Legion Hut from 10:00 to 12:00. He added that they would love for one of the Councilmembers to come talk to their group. Mayor MacDougall thanked Mr. Hicks for his service to our country and for being a member of our community.

Mayor MacDougall called the meeting to order at 6:41 p.m.

EXECUTIVE SESSION REPORT: (*Ratified during Council's June 13, 2022 Work Session.*)

DELETIONS ON AGENDA: Mayor MacDougall stated that it was the consensus of Council to delete Old Business Item #3 (*Final Reading of an Ordinance Annexing Lexington County Tax Map #4496-02-096*) and move it to Council's July 11, 2022 agenda.

PRESENTATIONS

1. **House Resolution to Congratulate the Lexington Police Department for being Awarded Accreditation from the Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA) Five Consecutive Times – SC House Representative Paula Rawl Calhoun:** Representative Calhoun wished to present a SC House of Representatives Resolution to Police Chief Green and the Lexington Police Department commending them for receiving their Accreditation from the Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA). Joining Chief Green for the presentation was Lieutenant-OPS Matt Timmerman and Inspector-OPS Missy Silcox along with Mr. J. J. Jones, Executive Director, SC Law Enforcement Officers Association. Representative Calhoun stated that the CALEA is the gold standard in public safety with policies and practices compared against internationally accepted standards and can be obtained every four years. She was proud to announce that the Lexington Police Department has received the CALEA five consecutive times. On April 2, 2022 the LPD received an Advanced Law Enforcement Award which requires a higher standard.

Mayor MacDougall thanked Representative Calhoun for everything she does for the Town.

Councilmember Baker later called on Chief Green for a few words. Chief Green commended his department and stated that this is the second year, back to back!

2. **South Carolina Department of Public Safety DUI Officer of the Year, TSI Shawn Ludwig – Presented by Mr. Harold Moore and Mr. Greg Griggs:** Mr. Griggs, along with his Director Phil Riley, asked LPD TSI Shawn Ludwig to join them for the presentation. He stated that the award committee is separate from the DPS and they review all the applications. He added that Officer Ludwig's application from the department was very impressive. He stated that the LPD had an 88% increase in DUI arrests last year (205) compared to 109 in 2020 and Officer Ludwig had 63 DUI arrest. Mr. Griggs presented the Public Safety Officer of Year Award to Officer Ludwig for excelling in the area of DUI arrests, DUI Victim Services and Anti-underage Drinking Programs in South Carolina in 2021.

Mr. Phil Riley, Director for the Office of Highway Safety and Justice Programs, stated that he works in Blythwood but lives in Lexington, so this is close to his heart. He added that it is not easy to win Officer of the Year and he knew

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Council was concerned about keeping the community safe and he appreciates all their efforts. Mr. Riley stated that a big part of that is traffic safety, and hot off the press, 48% of the state's traffic fatalities involved someone under the influence of alcohol or drugs. He added that luckily the Town of Lexington has Officers like Ludwig who keeps our community safe by their presence. Mr. Riley stated that the initials that Officer Ludwig has behind his name, TSI (Traffic Safety Instructor) is quite an accomplishment to achieve and he is probably one of the most well trained Officers in the state. He commended Officer Ludwig, Chief Green and the Lexington Police Department.

Mayor MacDougall thanked Mr. Riley and asked Officer Ludwig to step forward. He added that this would not go unnoticed and he wanted to hear from Shawn.

LPD Officer, TSI Shawn Ludwig thanked his fellow Officers with the Lexington Police Department for their efforts on DUI enforcement. He also thanked all the gentlemen from SC Department of Public Safety for acknowledging things like this and how important it is for the state and the Town. He thanked his wife for putting up with a lot because of all the crazy hours he has to work. Officer Ludwig thanked the Mayor, Town Council and Chief Green and Corporal Johnson for all their support.

3. **Tourette Syndrome Awareness Day Proclamation – Presented to Greater Carolinas Group Director Heather Ramsey by Councilmember Steve Baker:** Councilmember Baker read the proclamation declaring June 13, 2022 as Tourette Syndrome Awareness Day in the Town of Lexington. (Copy attached.)

Ms. Heather Ramsey, Director, Greater Carolinas Group, thanked the Mayor and Council and recognized several people with her including Representative Calhoun and several youth ambassadors. She added that this is a very special recognition for her as she grew up in Lexington.

VISION PLAN UPDATE

Mayor MacDougall announced: (1) The Town is in the beginning phases of awarding the contract to renovate and expand Virginia Hylton Park. This will be a complete overhaul of the park and will include all new features and new equipment. The plan is to start construction on part of the project later this summer. (2) Wayfinding signs started this week with the foundation work. Next, signs in the downtown corridor will be installed. This project will help point people to popular destinations and parking locations within the Town limits. (3) Mayor MacDougall stated that these are just a few of the projects that are a result of the Town's Vision Plan which can be read in its entirety on the Town's web page at www.lexsc.com.

TRAFFIC UPDATE

Mayor Pro-Tem Livingston gave the Traffic Update: (1) Asphalt paving crews are expected to address punch list items along N. Lake Drive and Harmon Street area over the coming weeks. This work will be intermittent and could require an occasional lane closure. (2) Adaptive Traffic Signals are now fully operational. Town Staff will continue to make adjustments over the coming weeks. (3) The next Traffic Committee meeting will be September 14, 2022 at 8:00 a.m. (4) Citizens were asked to call the Transportation Department at 803-358-7273 to report any traffic signal issues, unsafe roadway conditions or potholes that need repair.

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 #4332-02-003 located at 508 Northwood Road.
2. **Final Reading** of an Ordinance Annexing Lexington County Tax Map #4300-07-013 located at 281 Old Chapin Road.
3. **Final Reading** of an Ordinance to Adopt the FY2022-2023 Budget.
4. **Final Reading** of an Ordinance to Provide for the FY 2022-2023 Tax Levy.

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

OLD BUSINESS

1. A motion was made by Councilmember Carnes and seconded by Councilmember Baker to approve **Final Reading of an Ordinance Annexing Lexington County Tax Map #4332-02-003 located at 508 Northwood Road**. The motion was unanimously carried by all those present. (Copy attached.)
2. A motion was made by Councilmember Baker and seconded by Mayor Pro-Tem Livingston to approve **Final Reading of an Ordinance Annexing Lexington County Tax Map #4300-07-013 located at 281 Old Chapin Road**. The motion was unanimously carried by all those present. (Copy attached.)
3. (Deferred to July 11, 2022 Council meeting.) **Final Reading of an Ordinance Annexing Lexington County Tax Map #4496-02-096 located in the 2700 Block of Mineral Springs Road**.

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4. A motion was made by Mayor Pro-Tem Livingston and seconded by Councilmember Carnes to approve **Final Reading of an Ordinance to Provide for the FY 2022-2023 Tax Levy**. The motion was unanimously carried by all those present. (Copy attached.)
5. A motion was made by Councilmember Carnes and seconded by Councilmember Baker to approve **Final Reading of an Ordinance to Provide for the FY 2022-2023 Tax Levy**. The motion was unanimously carried. (Copy attached.)

NEW BUSINESS

1. **First Reading of an Ordinance Annexing Lexington County Tax Map #5498-05-002 located in the 100 Block of Industrial Drive:** James S. Guignard owns 4.08 acres located in the 100 block of Industrial Drive and petitioned to annex the property. The property is currently undeveloped. Properties in Town near this one are zoned Industrial and General Commercial. Industrial Drive, South Lake Drive and Interstate 20 are all classified as Arterial Roads. The Planning Commission will review this annexation during their June meeting to recommend zoning and road classification for this parcel. (Copy attached.)

A motion was made by Councilmember Baker and seconded by Mayor Pro-Tem Livingston to approve First Reading of an Ordinance Annexing Lexington County Tax Map #5498-05-002 located in the 100 Block of Industrial Drive as stated. The motion was unanimously carried by all those present.

2. **First Reading of an Ordinance Annexing Lexington County Tax Map #4496-02-154 located at 2677 Mineral Springs Road:** Jared and Caitlin Smith own 4 acres located at 2677 Mineral Springs Road and petitioned to annex the property. The property is currently undeveloped but a single family home is being planned on the site. Properties in Town near this property are zoned Protected Residential and Protected Residential 2. Mineral Springs Road is classified as a Collector Road. The Planning Commission will review this annexation during their June meeting to recommend zoning and a road classification for this parcel. (Copy attached.)

A motion was made by Mayor Pro-Tem Livingston and seconded by Councilmember Carnes to approve First Reading of an Ordinance Annexing Lexington County Tax Map #4496-02-154 located at 2677 Mineral Springs Road as stated. The motion was unanimously carried by all those present.

3. **First Reading of an Ordinance Annexing Lexington County Tax Map #4300-04-016 located at 455 Old Cherokee Road:** Lexington School District One owns 34.53 acres located at 455 Old Cherokee Road and petitioned to annex the property. Lakeside Middle School is being constructed on the site.

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Properties in Town near this property are zoned Limited Commercial and Protected Residential. Old Cherokee Road is classified as Collector Road. The Planning Commission will review this annexation during their June meeting to recommend zoning and road classification for this parcel. (Copy attached.)

A motion was made by Mayor Pro-Tem Livingston and seconded by Councilmember Baker to approve First Reading of an Ordinance Annexing Lexington County Tax Map #4300-04-016 located at 455 Old Cherokee Road as stated. The motion was unanimously carried by all those present.

4. **First Reading of an Ordinance Annexing Lexington County Tax Map #5423-04-006 located at 107 Mill Street:** Linda M. Crispino owns a parcel located at 107 Mill Street and petitioned to annex the property. A single family home is located on the site. Properties in Town near this property are zoned Protected Residential and High Density Residential. Mill Street is classified as an RL-2 road. The Planning Commission will review this annexation during their June meeting to recommend zoning and road classification for this parcel. (Copy attached.)

A motion was made by Councilmember Carnes and seconded by Councilmember Baker to approve First Reading of an Ordinance Annexing Lexington County Tax Map #5423-04-006 located at 107 Mill Street as stated. The motion was unanimously carried by all those present.

5. **First Reading of an Ordinance Annexing Lexington County Tax Map #4300-03-056 located in the 5400 Block of Augusta Road:** MW2 RE, LLC owns approximately 1.5 acres located in the 5400 block of Augusta Road and petitioned to annex the property. The property is currently undeveloped. Properties in Town near this property are zoned General Commercial and Augusta Road is classified as an Arterial Road. The Planning Commission will review this annexation during their June meeting to recommend zoning and road classification for this parcel. (Copy attached.)

A motion was made by Councilmember Baker and seconded by Mayor Pro-Tem Livingston to approve First Reading of an Ordinance Annexing Lexington County Tax Map #4300-03-056 located in the 5400 Block of Augusta Road as stated. The motion was unanimously carried by all those present.

6. **First Reading of an Ordinance Amending the Common Nuisance Ordinance:** At the May 16, 2022 Work Session Town Council discussed amending §93.20 Section C which addresses weeds, grass and overgrowth. There is the possibility that enforcement becomes confusing because there are different penalties for violations of Section A and C in §93.20. Section C should be separated from

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§93.20 and become a stand-alone portion of the Code of Ordinances. (Copy of pertinent sections attached.)

A motion was made by Mayor Pro-Tem Livingston and seconded by Councilmember Carnes to approve First Reading of an Ordinance Amending the Common Nuisance Ordinance as stated. The motion was unanimously carried by all those present.

7. **First Reading of an Ordinance Amending Section 155.03.07 of the Zoning Ordinance – Required Setbacks:** During the April Work Session and Council Retreat Town Council discussed amendments to the Zoning Ordinance for Protected Residential 2 developments. Council was provided a draft Ordinance which addressed the concerns raised during those discussions. (Copy attached.) The Planning Commission will review these amendments during their June meeting.

A motion was made by Mayor Pro-Tem Livingston and seconded by Councilmember Carnes to approve First Reading of an Ordinance Amending Section 155.03.07 of the Zoning Ordinance – Required Setbacks as stated. The motion was unanimously carried by all those present.

8. **First Reading of an Ordinance Amending Section 159.03.02 and 159.07.03 of the Zoning Ordinance – Commercial Center Signs:** During the April Work Session Town Council discussed amendments to the Sign Ordinance for Commercial Center signs. Council was provided a draft Ordinance which addressed the concerns raised during those discussions. (Copy attached.) The Planning Commission will review these amendments during their June meeting.

A motion was made by Councilmember Carnes and seconded by Councilmember Baker to approve First Reading of an Ordinance Amending Section 159.03.02 and 159.07.03 of the Zoning Ordinance – Commercial Center Signs as stated. The motion was unanimously carried by all those present.

9. **Reappointments to Boards and Commissions:** The terms for the following Boards and Commissions members expire June 30, 2022. Reappointments require approval by Town Council.

Advisory Committee: Edith Harmon, Mary Stokes Clark, Lauren Palkowski, Adam DeLoach, LaToya Reed

Board of Zoning Appeals: Ronald W. Fisher

Planning Commission: Jarett Harrelson, Jamie Fite, Jeannie Michaels

Traffic Committee: Julie Bartels, Lisa Gibson, Jennifer Morgan

Current Boards and Commissions Vacancies

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Advisory Committee	3
Board of Zoning Appeals	2
Building Code Board of Appeals	3
Historic Preservation:	2
Traffic Committee	3 resident vacancies

A motion was made by Councilmember Baker and seconded by Councilmember Carnes to approve reappointments as stated. The motion was unanimously carried by all those present.

10. **First Reading of an Ordinance Leasing to the South Carolina Highway Patrol:** South Carolina Highway Patrol has leased space in the Lexington Municipal Complex since 2006. Prior to this agreement, Troopers had to drive to Shop Road in Columbia to write reports, have in office meetings, etc. It is felt by keeping the Lexington Troop in Lexington they act as a force multiplier with Lexington PD improving protection for citizens. The current contract is subject to expire soon. Staff has been working with Highway Patrol Staff to negotiate a new contract. The new contract has a 3-year term with two automatic extensions of a year each if neither party gives notice. There is a 5% increase in the rental fee for the first year and an additional 2% increase each following year. The lease value is up to \$65,570.90.

A motion was made by Councilmember Carnes and seconded by Mayor Pro-Tem Livingston First Reading of an Ordinance leasing to the South Carolina Highway Patrol as stated. The motion was unanimously carried by all those present.

11. **First Reading of an Ordinance Approving Sorinex for Multi-County Industrial Park:** Town Council was asked to approve the creation of a Multi-County Industrial Park as outlined in the proposed Ordinance provided to Council. (Copy attached.) The subject property is owned by Sorinex Exercise Equipment, Inc. The Sorinex property is located in the Town and Section 4-1-170 of the Code provides that a municipality must consent to the creation or expansion of a multi-county industrial or business park which encompasses property located within such municipality.

A motion was made by Mayor Pro-Tem Livingston and seconded by Councilmember Carnes to approve First Reading of an Ordinance Approving Sorinex for Multi-County Industrial Park as stated. Councilmember Carnes asked about the size of the park. Town Administrator Poole stated that he did not know the size but it was the old Glassmaster site. The motion was unanimously carried by all those present.

ANNOUNCEMENTS

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Mayor Pro-Tem Hazel Livingston made the following announcements: (1) The Market at Icehouse is in full swing – if you have not been to The Market yet – you need to come this Saturday (and every Saturday through September 24th with the exception of July 2nd) from 9:00 to 1:00. Our Downtown Venue Promotor, Walker Brewer, continues to go a great job getting so many vendors, live music and food trucks! Don't miss it! (2) The Icehouse Amphitheater continues to host many great events and concerts including:

- This Friday night – bring the kids to see the Disney Movie – Encanto. It's free and the movie starts at 8:30 p.m.
- This is a big one – on Friday night, July 1st, come out to see and hear the Town of Lexington's Independence Day Celebration! The 246th Army Band will play a concert from 7:30 until 9:00 followed by a spectacular fireworks show. You can also tune into 93.1 FM The Lake to listen to patriotic music during the fireworks show. The best viewing spots include the Icehouse Amphitheater, Main Street restaurants, Lexington Square Park, the Lexington Veterans Monument and any public parking lot in the Downtown area. The Town's parking lots on Church Street will be closed all day to prepare for the show.
- Sister Hazel will be back in concert on July 23rd. Rain or shine gates open at 6:00 p.m. Tickets are \$32.00 and can be purchased at www.icehouseamphitheater.com.
- Rock of Ages will hold concerts on August 5th, 6th, 11th, 12th and 13th. Come out and relive the greatest rock hits of the 80's. Gate opens at 7:00 p.m. and the show will start at 8:30. Tickets are \$30.00 and can be purchased at www.icehouseamphitheater.com.

(3) The Town has several Town meetings lined up for June and July including: the Planning Commission will meet on June 22nd at 8:00 a.m. in the Council Chambers; in keeping with Council's Summer Schedule the next Council Work Session and Regular Council meeting will both be held on July 11th starting at 6:00 in the Conference Center and Council Chambers; the Board of Zoning Appeals will meet on July 21st at 5:30 in the Council Chambers. (4) Town Hall will be closed on Monday, July 4th in observance of Independence Day. On behalf of the Mayor and her fellow Councilmembers, Mayor Pro-Tem Livingston wished everyone a fun and safe summer. She also reminded everyone to get out and vote tomorrow in the primaries. She thanked everyone for tuning in tonight for the Town Council meeting.

Town Administrator Poole wished to thanked Finance Director Kathy Pharr, Assistant Finance Director Laraine Wieder and their Staff for all the hard work they did this year

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on the budget. He added that it may appear work starts on it in the summer, but in reality, it starts in January.

NEWS MEDIA QUESTIONS: None.

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 it will also be replayed several times during the week. He added 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 meeting adjourned and requested that Council reconvene to the Executive Session to finish their discussion on the final two items. The Regular Council meeting was adjourned at 7:17 p.m.

Respectfully submitted,

Becky P. Hildebrand, CMC
Municipal Clerk

APPROVED:

Steve MacDougall
Mayor

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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.