

MINUTES
Town of Lexington
Executive Session and
REGULAR COUNCIL MEETING
September 7 , 2021

Town Council held an Executive Session at 5:30 p.m. followed by a Regular Council meeting at 6:30 p.m. on September 7, 2021. The meetings were attended by Mayor Steve MacDougall and Councilmembers Todd Carnes, Ron Williams, Steve Baker and Todd Lyle. Mayor Pro-Tem Hazel Livingston and Councilmember Kathy Maness 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, Downtown Development Johnny Jeffcoat, Utilities Director Allen Lutz, Finance Director Kathy Pharr, Parks and Sanitation Director Dan Walker, Assistant Parks and Sanitation Director Johnny Dillard, Communications Manager Laurin Barnes, Digital Media Coordinator Darrell Pritchard, Assistant Municipal Clerk Karen Hanner and Municipal Clerk Becky Hildebrand.

Approximately eight (8) citizens were present 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 Councilmembers. He announced that Mayor Pro-Tem Livingston was absent due to illness and Councilmember Maness was absent and attending a meeting representing the National League of Cities as President. He called on Councilmember Carnes to give the invocation. Mayor MacDougall led in the Pledge of Allegiance. Mayor MacDougall called the meeting to order at 6:30 p.m.

EXECUTIVE SESSION REPORT

Mayor MacDougall reported that the *Executive Session* was called to order at 5:30 p.m. after a motion was made by Councilmember Baker and seconded by Councilmember Williams to go into *Executive Session*. The motion was unanimously carried by all those present. Council adjourned from the *Executive Session* at 6:02 p.m. after a motion was made by Councilmember Baker and seconded by Councilmember Lyle. The motion was unanimously carried by all those present. Mayor MacDougall reported that pursuant to SC Code §30-4-70(a) (1) and (2), Council met in *Executive Session* to discuss: two legal items regarding pending litigation and advice regarding agenda items; one contractual item regarding a downtown development issue; and one routine personnel matter. No vote was taken. A motion was made by Councilmember Lyle and seconded by

MINUTES
REGULAR COUNCIL MEETING
September 7, 2021

Councilmember Baker to ratify the Mayor's report. The motion was unanimously carried by all those present.

DELETIONS ON AGENDA: None.

APPROVAL OF MINUTES: A motion was made by Councilmember Williams and seconded by Councilmember Carnes to approve the Minutes as submitted for Council's Work Session and Council's regular meeting both held on August 16, 2021. The motion was unanimously carried by all those present.

PRESENTATIONS

1. **Ms. Debbie Dickinson and Ms. Jan Urban – Vote 411, League of Women Voters:** Ms. Dickinson thanked the Mayor and Council and added that the League of Women Voters is a non-partisan organization and they work to inform voters and engage them in the democratic process. She stated that they are encouraging all voters to participate in Vote 411 which is an on-line voter guide including registration information, polling places, candidate information and more. Ms. Dickinson added that a unique feature of Vote 411 is it allows citizens to enter their home address and see a listing of candidates that are running for different offices as well as contact information. They also contact all the candidates to get their background information and where they stand on issues. Ms. Dickinson stated that candidates in the Fall municipal elections will soon receive an email requesting information. She encouraged all candidates to participate. She asked everyone to share the information about Vote 411 through newsletters, web pages or social media by posting a link to Vote 411. She left some Vote 411 posters and cards that could be posted on Town bulletin boards or in parks. (Copy attached.) Ms. Dickinson stated that during the 2020 election approximately 50,000 people in the Midlands used Vote 411 and approximately 30,000 looked up candidate information. She added that they are still fairly new so they appreciated everyone helping to get the word out about Vote 411.

Mayor MacDougall thanked Ms. Dickinson and Ms. Urban for attending tonight and for bringing the information about 411. He added that the Town would help get the information out to the public.

2. **Proclamation Designating Constitution Week as September 7th through 23rd with D A R (Daughters of the American Revolution) Granby Chapter Ms. Deborah Blanpied, Ms. Cindy Powell and Ms. Rhonda Robison - Councilmember Todd Lyle:** Councilmember Lyle read a proclamation declaring September 17 – 23, 2021 as Constitution Week in the Town. This marks the 234th anniversary of the framing of the Constitution which is the guardian of our liberties, embodies the principles of limited government in a Republic dedicated to rule by law. Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States. Councilmember Lyle stated that citizens were extremely encouraged to reaffirm the ideals the

MINUTES
REGULAR COUNCIL MEETING
September 7 , 2021

framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties.

Ms. Cindy Powell, Regent Granby Chapter of the National Society of the Daughters of the American Revolution, thanked the Mayor and Council for the proclamation for Constitution Week. She introduced Ms. Deborah Blanpied, Treasurer, and Ms. Rhonda Robison, Registrar. She added that DAR initiated the observance of Constitution Week in 1955 when a Resolution was presented to Congress. Congress adopted the Resolution on August 2, 1956 and President Dwight D. Eisenhower signed it into Public Law #915. Ms. Powell stated that celebration goals are threefold and (1) encourage the study of historical events that led the framing of the Constitution in September 1787; (2) to remind the public that the Constitution is the basis of America's great heritage and the foundation for its way of life; and (3) emphasize the U.S. Citizens' responsibility to protect, defend and preserve the United States Constitution. Ms. Powell stated that with this proclamation the Town joins the Granby Chapter of the DAR as an advocate for awareness, promotion and the celebration of Constitution Week.

Mayor MacDougall thanked the DAR representatives for attending the Council meeting and to keep up the good work.

VISION PLAN UPDATE

Mayor MacDougall reported the following: (1) Gibson Pond Park is now open! The park is located at 241 Gibson Road and features a new dam with a bridge, fishing piers, a new dock and new picnic shelters. The park is dog friendly and you can canoe and kayak in the pond or enjoy the walking trail. There is also a large picnic shelter that can be rented for events. Mayor MacDougall thanked all the Town employees who played a role in making the park what it is today, including Transportation Director Randy Edwards and his staff. (2) Work at the Old Mill Pond Trail is expected to start soon on the one-mile long walking trail. This is being coordinated with the reconstruction of the Old Mill Dam, which is ongoing. (3) These are just a couple of the projects that are a result of the Town's Vision Plan which can be found on lexsc.com.

TRAFFIC UPDATE

Councilmember Williams gave the following Traffic Update: (1) Work continues along North Lake Drive and the Harmon Street Extension. A new protected left turn phase was added at Columbia Avenue and Dreher Street. (2) The final phase of the Town's Adaptive Signalization system continues with both daytime and nighttime closures along Highway 378/Sunset Boulevard/Augusta Road and West Main Street. (3) A new right turn lane is nearly complete at the new Murphy's gas station across from Walmart on Highway 378/Sunset Boulevard. (4) The next Traffic Committee meeting is scheduled for September 29, 2021 at 8:00 a.m. (5) Citizens were asked to call the Town's Transportation Department at 803-358-7273 to report any traffic signal issues, unsafe roadway conditions or a pothole that needs repair.

PUBLIC HEARING(S)

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 for Transfer of Interest in Town Property, Lexington Villas.

There being no public comments or questions from Council, Mayor MacDougall declared the Public Hearings closed.

OLD BUSINESS: None.

NEW BUSINESS

1. **First Reading of an Ordinance Annexing a 42 Acre Parcel located on South Lake Drive and Innovation Place:** Lexington Charter, LLC, is purchasing 42.04 acres on the corner of South Lake Drive and Innovation Place and has petitioned to annex the property. A 1,900 student charter school is being planned on the site. Properties in Town near this property are zoned Industrial, General Commercial and High Density Residential. South Lake Drive is classified as an Arterial Road and Innovation Place is classified as a Local Road. The Planning Commission reviewed this annexation during their August meeting and recommended General Commercial zoning for the property. They also recommended classifying South Lake Drive as an Arterial Road and reclassifying Innovation Place as a Collector Road.

Councilmember Carnes recused himself from the discussion and vote on this item in that he serves on the Board for the applicant, the Charter Institute of Erskine. (Copy of Recusal Statement attached.)

A motion was made by Councilmember Baker and seconded by Councilmember Williams to approve First Reading of an Ordinance Annexing a 42 Acre Parcel located on South Lake Drive and Innovation Place as stated. The motion carried with a vote of four (4) in favor, one (1) recused (Carnes) and two (2) absent.

2. **First Reading of an Ordinance Annexing Lexington County Tax Map #4300-07-009 located at 109 Rose Lake Road:** Douglas and Janice Hull own 4.6 acres located at 109 Rose Lake Road and petitioned to annex the property.

MINUTES
REGULAR COUNCIL MEETING
September 7, 2021

A single family home is located on the site. Properties in Town near this one are zoned Protected Residential 2. Old Chapin Road is classified as a Collector road and Rose Lake Road, which is privately maintained, is not currently classified. The Planning Commission reviewed this annexation during their August meeting and recommended Protected Residential zoning for the property. They also recommended classifying Old Chapin road as a Collector road and recommended classifying Rose Lake Road as an RL-2 road.

A motion was made by Councilmember Baker and seconded by Councilmember Williams to approve First Reading of an Ordinance Annexing Lexington County Tax Map #4300-07-009 located at 109 Rose Lake Road as stated. The motion was unanimously carried by all those present.

3. **First Reading of an Ordinance Annexing Lexington County Tax Map #4496-02-153 located at 2671 Mineral Springs Road:** Todd R. Lyle owns 2.58 acres located at 2671 Mineral Springs Road and petitioned to annex the property. A single-family home is being planned on the site. Properties in Town near this one 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 September meeting and recommend a zoning and road classification for this parcel.

Councilmember Lyle recused himself from the discussion and vote on this item in that he owns or has a vested interest in principal or property. (Copy of Recusal Statement attached.)

A motion was made by Councilmember Baker and seconded by Councilmember Williams to approve First Reading an Ordinance Annexing Lexington County Tax Map #4496-02-153 located at 2671 Mineral Springs Road as stated. The motion carried with a vote of four (4) in favor, one (1) recused (Lyle) and two (2) absent.

4. **First Reading of an Amendment to the Landscape and Tree Ordinance:** During the August Work Session, Council discussed an Amendment to the Landscape and Tree Ordinance to include “mulching”.

A motion was made by Councilmember Lyle and seconded by Councilmember Carnes to approve First Reading of an Amendment to the Landscape and Tree Ordinance as stated. The motion was unanimously carried by all those present.

5. **First Reading of an Ordinance for a Mutual Aid Agreement with Multiple Jurisdictions:** The Lexington Police Department requested the Town of Lexington, as its governing body, to approve the multi-jurisdictional agreement

MINUTES
REGULAR COUNCIL MEETING
September 7, 2021

pursuant to S.C. Code of Laws 23-2-40. The multi-jurisdictional agreements that are subject of the approval contained herein include:

Aiken County Sheriff's Dept.	Aiken Dept. of Public Safety
Batesburg-Leesville Police Dept.	Camden Police Dept.
Cayce Dept. of Public Safety	Chapin Police Dept.
Columbia Police Dept.	Columbia Metro Airport Police Dept.
Drug Enforcement Administration	Federal Bureau of Alcohol, Tobacco & Firearms
Federal Bureau of Investigation	Forest Acres Police Dept.
Gaston Police Dept.	Homeland Security
Irmo Police Dept.	Kershaw County Sheriff's Dept.
Lexington Medical Dept. of Public Safety	Lexington County Sheriff's Dept.
Myrtle Beach Police Dept.	Newberry Sheriff's Dept.
Newberry Police Dept.	North Myrtle Beach Dept. of Public Safety
Pelion Police Dept.	Pine Ridge Police Dept.
Richland County Sheriff's Dept.	South Congaree Police Dept.
Springdale Police Dept.	Swansea Police Dept.
U.S. Marshall Service	U.S. Secret Service
USC Division of Law Enforcement & Safety	West Columbia Police Dept.

A motion was made by Councilmember Baker and seconded by Councilmember Lyle to approve First Reading of an Ordinance for a Mutual Aid Agreement with Multiple Jurisdictions as stated. The motion was unanimously carried by all those present.

- 6. Resolution Designating ARPA Authorized Representative and Contact Person:** The State of South Carolina is in the process of distributing funding to local governments appropriated under the American Rescue Plan Act of 2021 (ARA or Act). One of the requirements under the law and related regulations is that local governments designate an Authorized Representative and Contact Person for purposes of administering the funds. The Town Administrator is designated by the Resolution to be the Authorized Representative and the Assistant Town Administrator is designated the Contact Person. The required contact information must be submitted to the South Carolina Department of Administration by September 17, 2021. (Copy of Resolution attached.)

The Town expects to receive ARPA funding in two distributions over the course of the next year with the first occurring as early as the end of September, 2021. All funding under ARPA must be expended in accordance with the Act and regulations issued by the U.S. Department of the Treasury.

A motion was made by Councilmember Carnes and seconded by Councilmember Baker to adopt the Resolution Designating ARPA Authorized Representative and Contact Person for the purposes of the

MINUTES
REGULAR COUNCIL MEETING
September 7, 2021

American rescue Plan Act of 2021 as stated. The motion was unanimously carried by all those present.

ANNOUNCEMENTS

Councilmember Williams made the following announcements: (1) The Market at Icehouse has really been great this year especially at its new home - the Icehouse Pavilion. Only a few more Saturdays, so please plan to come out on Saturdays through September 25th and enjoy all the vendors, food and music! The Market opens at 9:00 a.m. through 1:00. (2) Thanks to Downtown Venue Promoter Walker Brewer and other Staff members for a very successful Craft Beer Festival last month. He and his wife enjoyed the music, the food and tasting the many craft beers and can't wait until next year. (3) There are so many events and concerts scheduled at the Icehouse Amphitheater – he hoped everyone would go to www.icehouseamphitheater for all the updates. A couple reminders:

- This Thursday (day after tomorrow!) September 9th we proudly bring back LEXINGTON LIVE (FREE) FALL CONCERT SERIES starting at 6:30 with none other than – THE ROOT DOCTORS! There's always a crowd when The Root Doctors are in Town – so come out early for a great evening. Plus mark your calendars for the next FOUR Thursdays as Lexington Live Fall Concert Series continues.
- This Friday, September 10th, Tokyo Joe Productions presents Rocketman! What a show – a tribute to Sir Elton John. Gates open at 6:00 and tickets are \$27.
- Come Rock 4 Recovery with Edwin McCain on September 24th. This is the LRADAC Foundation's annual fundraising concert presented by Dominion Energy. The concert starts at 6:00 and is an alcohol free concert.

(4) Council will meet again on Monday, September 20th at 6:00 p.m. for Council's Work Session. (5) The Planning Commission will meet Wednesday, September 22nd at 8:00 a.m. in the Council Chambers. (6) The Traffic Committee will meet Wednesday, September 29th at 8:00 a.m. in the 3rd floor conference room. On behalf of the Mayor and his fellow Councilmembers, he thanked everyone for watching their Council in action tonight.

Mayor MacDougall stated that he just heard it was John Hanson's birthday today and he wanted to be the first to wish him Happy Birthday. He added that Mr. Hanson has a tough job and does a fantastic job with it so he appreciates him very much.

NEWS MEDIA QUESTIONS: None.

PUBLIC COMMENTS: None.

CLOSING STATEMENT and 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 cable channel 1301 which will also be replayed several times during the week and a video will be available on the Town's website at www.lexsc.com.

Mayor MacDougall stated that without objection from Council, he declared the Council meeting adjourned. The Regular Council meeting was adjourned at 6:58 p.m.

Respectfully submitted,

Becky P. Hildebrand, CMC
Municipal Clerk

APPROVED:

Steve MacDougall
Mayor

MINUTES
REGULAR COUNCIL MEETING
September 7 , 2021

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.