

MINUTES
Town of Lexington
Executive Session and
REGULAR COUNCIL MEETING
October 4, 2021

Town Council held an Executive Session at 5:30 p.m. followed by a Regular Council meeting at 6:30 p.m. on October 4, 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, Town Prosecutor Cliff Koon, Transportation Director Randy Edwards, Police Chief Terrence Green, Lieutenant/Special Operations Rick Hazewinkel, Planning, Building and Technology Director John Hanson, Economic Development Johnny Jeffcoat, Utilities Superintendent Billy Gunter, Finance Director Kathy Pharr, Parks and Sanitation Director Dan Walker, Assistant Parks and Sanitation Director Johnny Dillard, Downtown Venue Promoter Walker Brewer, Communications Manager Laurin Barnes, Digital Media Coordinator Darrell Pritchard, Assistant Municipal Clerk Karen Hanner and Municipal Clerk Becky Hildebrand.

Approximately five (5) 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 called on Councilmember Maness to give the invocation. Mayor MacDougall led in the Pledge of Allegiance. Mayor MacDougall called the meeting to order at 6:34 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 Manes and seconded by Councilmember Lyle to go into *Executive Session*. The motion was unanimously carried. Council adjourned from the *Executive Session* at 6:22 p.m. after a motion was made by Councilmember Lyle and seconded by Councilmember Williams. The motion was unanimously carried. Mayor MacDougall reported that pursuant to SC Code §30-4-70(a) (1), (2) and (3) Council met in *Executive Session* to discuss: One personnel matter; two legal items regarding pending litigation and advice regarding agenda items; one contractual item regarding a traffic contract issue; and, one security planning protocol. 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: Mayor MacDougall requested to defer Old Business Item #1 (Final Reading of an Ordinance Annexing a 42 acre parcel located on South Lake Drive and Innovation Place).

PRESENTATIONS

1. **Founding Fathers’ Faith Awareness Month Proclamation for Mr. Scott Saunders – Councilmember Steve Baker:** Councilmember Baker stated that Mr. Saunders could not attend tonight due to illness, but the proclamation would be mailed to him. He read the proclamation recognizing September 2021 as Founding Fathers’ Faith Awareness Month. Many leaders of our Nation worked together in faith to ensure the preservation of American ideals of freedom and liberty which our country was founded and still enjoys today. (Copy attached.)

VISION PLAN UPDATE

Mayor MacDougall reported the following: (1) Plans to update and expand Virginia Hylton Park are moving forward. Work continues on an overall design plan and construction documents. (2) A company has been selected for Wayfinding Signs for the downtown district. A meeting was held to finalize the design and move forward with manufacturing and installation. The signs will help navigate people to popular landmarks within Town limits. (3) Vision Plan Goals - 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

Mayor Pro-Tem Livingston gave the following Traffic Update: (1) Work continues along North Lake Drive and the Harmon Street Extension. Paving is expected to begin this week. (2) The final phase of the Town’s Adaptive Signalization System continues with both daytime and nighttime closures along Highway 378/Sunset Boulevard and Augusta Road and West Main Street. (3) The next Traffic Committee meeting has been scheduled for January 12, 2022 at 8:00 a.m. 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 Annexing a 42 Acre Parcel located on South Lake Drive and Innovation Place.
2. **Final Reading** of an Ordinance Annexing Lexington County Tax Map #4300-07-009 located at 109 Rose Lake Road

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3. **Final Reading** of an Ordinance to Annex Lexington County Tax Map #4496-02-153 located at 2671 Mineral Springs Road.
4. **Final Reading** of an Amendment to the Landscape and Tree Ordinance.
5. **Final Reading** of an Ordinance Entering into a Mutual Aid Agreement with Multiple Jurisdictions.

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

OLD BUSINESS

1. (deferred) **Final Reading** of an Ordinance Annexing a 42 Acre Parcel located on South Lake Drive and Innovation Place.
2. A motion was made by Councilmember Carnes and seconded by Councilmember Williams for **Final Reading Approval of an Ordinance Annexing Lexington County Tax Map #4300-07-009 located at 109 Rose Lake Road**. The motion was unanimously carried. (Copy attached.)
3. A motion was made by Councilmember Williams and seconded by Mayor Pro-Tem Livingston for **Final Reading Approval of an Ordinance to Annex Lexington County Tax Map #4496-02-153 located at 2671 Mineral Springs Road**. (Copy attached.)

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.)

The motion carried with a vote of six (6) in favor, one (1) recused (Lyle).

4. A motion was made by Councilmember Baker and seconded by Mayor Pro-Tem Livingston for **Final Reading Approval of an Amendment to the Landscape and Tree Ordinance**. The motion was unanimously carried. (Copy attached.)
5. A motion was made by Councilmember Lyle and seconded by Councilmember Baker for **Final Reading Approval of an Ordinance for a Mutual Aid Agreement with Multiple Jurisdictions (32 listed)**. The motion was unanimously carried. (Copy attached.)

NEW BUSINESS

1. **First Reading of an Ordinance Rezoning Lexington County Tax Map Number 4323-04-003 and 004 located in the 100 Block of Old Chapin Road and along Snelgrove Road**: Jonathan and Ted Stambolitis submitted a request to rezone 5.7 acres from General Commercial and Limited Commercial to

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General Commercial with a Planned Unit Development overlay. The purpose of the request is to support the development of a 31-unit townhome project with two mixed-use units on 2.07 acres of the site. Properties adjacent to this project are zoned General Commercial and Limited Commercial. The Planning commission recommended approving this request during their August meeting. (Copies attached.)

A motion was made by Mayor Pro-Tem Livingston and seconded by Councilmember Maness for First Reading Approval of an Ordinance Rezoning Lexington County Tax Map Number 4323-04-003 and 004 located in the 100 Block of Old Chapin Road and along Snelgrove Road as stated.

2. **First Reading of an Ordinance Approving a Planned Unit Development Consisting of a 31 Unit Mixed Use Townhome Project:** Revival Development, LLC requested site plan approval of a Planned Unit Development consisting of 29 townhomes and two mixed use unites to be constructed on 2.07 acres behind the Flight Deck Shopping center on Snelgrove Road. The PUD request also includes the Flight Deck Commercial Center property. Primary access to the development will occur from Old Chapin Road through an easement with the commercial center. There will also be a gated access to the development from Snelgrove Road for use by residents and service vehicles. The development's internal streets will be privately owned and maintained. The project requested approval as a Planned Unit Development due to the unique nature of the proposal and to allow variances in the traditional zoning requirements. The Planning Commission reviewed and recommended approval of this request during their August meeting. (Copies attached.)

A motion was made by Councilmember Maness and seconded by Mayor Pro-Tem Livingston to approve First Reading an Ordinance for a Planned Unit Development consisting of a 31 Unit Mixed Use Townhome Project as stated. Mayor Pro-Tem Livingston confirmed that the project included bringing the Flight Deck's landscape into compliance. Mr. Poole confirmed that the Planning Commission made that part of the PUD. The motion was unanimously carried.

3. **Resolution Authorizing Water and Sewer Revenue and Refunding Bonds of 2021:** The Town's Water and Sewer System Capital Improvements Plan for Fiscal Year 2022 totals \$13.3 million with a 5-year total of \$65.2 million. The updated 5-year CIP now reflects the anticipated projects related to the Watergate system and the initial phase of the parallel sewer force main to the treatment facility in Cayce. Currently, the Town's Series 2020 \$12.25 million Water and Sewer Bond Anticipation Notes (BANs) are outstanding and are due on October 27, 2021. The projects funded by the BANs include the Cromer Road Pump Station and the acquisition of the Watergate sewer system which are now complete. Additionally, the Series 2012 Revenue Bonds with a current balance

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of approximately \$7.52 million will be eligible for current refunding in January, 2022. The current historically low rate in the bond market indicate these bonds can be refunded for significant present value savings. Accordingly, a Resolution is needed to authorize the issuance of Water and Sewer Revenue and Refunding Bonds. 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. The current refunding of the Series 2012 Bonds can be marketed in October with a planned closing in January to qualify as a current refunding under Federal Tax Law which allows for refunding within 90 days of the payoff date of the outstanding bonds. Council was asked to approve a Resolution to authorize Water and Sewer Revenue and Refunding Bonds of 2021.

A motion was made by Councilmember Carnes and seconded by Councilmember Baker to approve a Resolution to authorize Water and Sewer Revenue and Refunding Bonds of 2021 as stated. The motion was unanimously carried.

3. **Icehouse Pavilion, Palmetto Collegiate Institute Rental Rate Increases:** At the September Work Session, Council discussed a rental rate increase for two Town rental facilities due to utility costs. (Copy attached.) Following is are the recommended increases:

Icehouse Pavilion	an increase of \$50.00
Palmetto Collegiate Institute	an increase of \$25.00

A motion was made by Councilmember Williams and seconded by Councilmember Baker to approve both rate increases as stated. Mr. Poole wished to add for the record, in order to make it clear, that this would be a rate increase on all the different tiers such as in-town, out-of-town, etc. because these are direct costs. Councilmember Maness confirmed that people who have already signed contracts would not have a rate increase. Mr. Poole restated that people who entered into an agreement after the rate increase approval would be charged the new rate. The motion was unanimously carried.

5. **Lexington Sertoma Club Sponsorship Request:** The Lexington Sertoma Club will hold their annual Big Thursday event at the Icehouse Pavilion on Wednesday, October 27, 2021. Mr. Tommy Harmon contacted Mayor MacDougall and requested a \$600 Field Goal Sponsorship which would reserve a table for eight at the event. Council was asked to consider the sponsorship.

Councilmember Baker added that Mr. Harmon called today to let Council know that the Sertoma Club will be donating approximately \$6,500 for picnic tables and swings at Gibson Pond Park. These are funds that were raised just prior to the

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2015 flood. They are working with Parks and Sanitation Director Walker and will issue the check once they receive an invoice.

A motion was made by Councilmember Baker and seconded by Councilmember Lyle to approve a sponsorship for the Sertoma Club's Big Thursday event as stated. Councilmember Baker added that the Sertoma Club has also helped with upgrades at the Dog Park which he appreciates because he uses the park. The motion was unanimously carried.

ANNOUNCEMENTS

Councilmember Lyle made the following announcements: (1) He extended belated Happy Birthday wishes to Councilmember Carnes who celebrated his birthday last week. (2) More events and concerts are scheduled at the Icehouse Amphitheater – please go to www.icehouseamphitheater for all the updates. A few reminders included:

- This Thursday, October 7th, the LEXINGTON LIVE (FREE) FALL CONCERT SERIES continues with The Catalinas starting at 6:30. Please come out for the last of the Fall Concert Series.
- This Friday, October 8th, is The Mark Snelgrove Bluegrass Cancer Awareness Night featuring The Randy Lucas Trio starting at 6:00.
- Resurrection is back on October 15th and 16th. This is a great Journey Tribute Band and it did not take it long to sell out!
- On October 22nd get ready for Fallapalooza at the Icehouse starting at 6:00. Tickets are \$15.
- On October 29th Tokyo Joe's 25th Anniversary Party will start at 6:00. Tickets are \$25.

(3) The Board of Zoning Appeals will not meet in October. (4) The Board of Appearance will meet at 9:00 a.m. on October 14th. (5) Council will meet again on Monday, October 18th at 6:00 p.m. for Council's Work Session in the Conference Center. (6) The Planning Commission will meet Wednesday, October 20th at 8:00 a.m. in the Council Chambers. On behalf of the Mayor and his fellow Councilmembers, he thanked everyone for watching their Council in action tonight.

Councilmember Baker wished to point out again that the Town has several openings on Boards and Commissions and new applicants are always welcomed.

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NEWS MEDIA QUESTIONS: None.

PUBLIC COMMENTS

Mr. Jonathan Stambolitis thanked the Mayor and Council.

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 6:57 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.