

**MINUTES**  
*Town of Lexington*  
**Executive Session and**  
**REGULAR COUNCIL MEETING**  
**May 2, 2011**

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Town Council held an Executive Session at 5:30 on May 2, 2011 prior to the Regular Council Meeting which started at 6:30. The meetings were attended by Mayor Pro-Tem Hazel Tyndall, Council Members Richard Thompson, Kathy Maness, Ted Stambolitis, and Danny Frazier. Mayor Randy Halfacre and Councilmember Todd Shevchik were not present, excused.

The Executive Session was also attended by Town Administrator Britt Poole, Assistant Town Administrator Stuart Ford, Municipal Attorney Brad Cunningham and Municipal Clerk Becky Hildebrand. Also attending the Regular Council meeting was: Police Chief Terrence Green, Director of Utilities and Engineering Allen Lutz, Finance Director Kathy Roberts, Interim Planning, Building and Technology Director John Hanson, Events and Media Coordinator Jennifer Dowden, and I.T. Manager Josh Emory.

No members of the news media were present and approximately seventy-five (75) citizens and students were present.

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**EXECUTIVE SESSION REPORT**

Mayor Pro-Tem Tyndall reported that the *Executive Session* was called to order at 5:34 p.m. after a motion was made by Councilmember Thompson and seconded by Councilmember Stambolitis to go into *Executive Session*. The motion was unanimously carried by all those present. Council adjourned from *Executive Session* at 6:05 p.m. after a motion was made by Councilmember Maness and seconded by Councilmember Frazier. The motion was unanimously carried by all those present. Mayor Pro-Tem Tyndall reported that Council met in *Executive Session* to discuss: one contractual issue regarding economic development, one pending legal issue, and two personnel issues regarding Boards and Commissions and a personnel contract. No vote was taken. A motion was made by Councilmember Maness and seconded by Councilmember Stambolitis to ratify the Mayor Pro-Tem's *Executive Session* report. The motion was unanimously carried by all those present.

**INVOCATION, PLEDGE OF ALLEGIANCE AND CALL TO ORDER:** Mayor Pro-Tem Tyndall introduced the Council Members and welcomed everyone to the Council meeting. She announced that Mayor Halfacre was attending an informal meeting with several members of the Lexington County Delegation regarding Amazon.com. He asked Mayor Pro-Tem Tyndall to relay to citizens that if they are interested in bringing Amazon.com back to Lexington, please call your State Representative. She stated that Councilmember Shevchik was on vacation.

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Councilmember Thompson gave the invocation. Councilmember Frazier led in the Pledge of Allegiance. Mayor Pro-Tem Tyndall called the meeting to order at 6:34 p.m.

**ADDITIONS/DELETIONS:**

1. Councilmember Frazier requested to add an item for purchase of generators for the Utilities Department.
2. Councilmember Maness requested to add an item for a donation to the Palmetto Girls State.

There being no objections from Council, the items were added as New Business items #3 and #4.

**APPROVAL OF MINUTES:** A motion was made by Councilmember Maness and seconded by Councilmember Thompson to approve the minutes from Council's Work Session on April 18, 2011. The motion was unanimously carried by all those present.

**PRESENTATIONS**

1. **Senate Resolution Celebrating the 150<sup>th</sup> Birthday of the Town of Lexington – State Senator Ronnie Cromer:** Senator Cromer read the Senate Resolution honoring the Town of Lexington on their 150<sup>th</sup> anniversary. He presented the proclamation to Mayor Pro-Tem Tyndall. (Copy attached.)
2. **Police Chief's Letters of Commendation – Police Chief Terrence Green:** Chief Green presented letters of commendation to Sgt. Aron Hefner and Ptl. Nic Beza for their heroic efforts on April 2, 2011. The Police Officers assisted at a wreck scene during which time Ptl. Beza helped the victim who was trapped in the burning vehicle. Sgt. Hefner arrived on the scene and assisted rescuing the victim until fire fighters arrived. Chief Green stated that without the efforts of the officers, the accident would have had a tragic outcome. According to Police General Order 330.1, Chief Green was proud to present the awards, along with the assistance of Mayor Pro-Tem Tyndall.
3. **Lexington Elementary School Proclamation – Councilmember Kathy Maness:** Councilmember Maness read a proclamation honoring Ms. Dempsey's 4<sup>th</sup> grade Eagle Class for producing a Town of Lexington History web page as their class project. She also announced that the web page: <http://lexingtonscivilwarhistory.wikispaces.com/> would also have a link on the Town's web page. Councilmember Maness presented the proclamation to Ms. Dempsey and students from the 4<sup>th</sup> grade class. (Copy attached.)
4. **National Kids to Parks Day Proclamation – Councilmember Ted Stambolitis:** Councilmember Stambolitis read a proclamation recognizing May 21, 2011 as National Kids to Parks Day and encouraged everyone to make time through the

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year to take the children in their lives to a neighborhood, state, or national park.  
(Copy attached.)

5. **Assistance to the Town Proclamation – Councilmember Danny Frazier:** Councilmember Frazier read a proclamation commending Terry Lee Sills and David Scott Thornton for assisting the Town in clearing trees from the entrance of Woodside Farms following a storm on April 5, 2011. (Copy attached.)

**TRAFFIC UPDATE**

**Mayor Pro-Tem Tyndall** provided an update on the Town of Lexington's continuing efforts to improve traffic. (1) SCDOT is in the process of retiming and studying many of the signals in Town. The Traffic Committee requested that SCDOT evaluate the traffic signals on Old Cherokee Road at Pilgrim Church, Old Chapin and Maxie Road. SCDOT agreed to study them for possible solutions to afternoon wait times. (2) The Town would like to thank SCDOT for their assistance in two projects: (a) The Do Not Block Intersection markings at Meetze Avenue and Columbia Avenue. (b) The median at Target and McCauley Square on Sunset Blvd. (3) On May 7<sup>th</sup> from 1:00 p.m. to 11:00 p.m. drivers can expect delays due to closing the 100 block of East Main Street from South Church Street to South Lake Drive for the 2<sup>nd</sup> Annual Wine Walk. Mayor Pro-Tem Tyndall asked if anyone has any traffic issues to please contact 359-1027. The issue could be an unsafe situation or just a pot hole that needs repair. The next Traffic Committee meeting will be May 17th, 2011 at 8:00 a.m. in the Eli Mack, Sr. Room in Town Hall.

**PUBLIC HEARINGS**

Mayor Pro-Tem Tyndall called the Public Hearing to order and requested that those wishing to speak limit their comments to five minutes.

1. An Ordinance Annexing County-Owned Land Adjacent to a Town of Lexington Water Tower.
2. An Ordinance Revising the Farmers Market Ordinance.
3. An Ordinance Rezoning 204 and 208 Bickley Road.

There being no comments, Mayor Pro-Tem Tyndall declared the Public Hearings closed.

**OLD BUSINESS**

1. A motion was made by Councilmember Frazier and seconded by Councilmember Thompson to approve **Final Reading of a Farmers Market Revised Ordinance.** Councilmember Thompson stated that he was excited about the Town's Farmers Market and he hoped to have some produce ready for it soon. The motion was unanimously carried by all those present. (Ordinance attached.)

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2. A motion was made by Councilmember Thompson and seconded by Councilmember Frazier to approve **Final Reading of an Ordinance Rezoning 204 and 208 Bickley Road**. The motion was unanimously carried by all those present. (Ordinance attached.)

**NEW BUSINESS**

1. **Renewal of Chief of Police Employment Contract:** The current contract for Chief of Police Terrence Green recently expired. Town Council was asked to renew the contract for an additional three (3) years. It was further suggested that all other terms and conditions remain the same. The new contract expiration date would be February 4, 2014. (Copy of contract and renewal attached.)

A motion was made by Councilmember Maness and seconded by Councilmember Stambolitis to approve the renewal of Chief Green's contract for three years. Councilmember Maness added that it was an honor to make the motion. Councilmember Stambolitis asked if it could be for a lifetime. Mayor Pro-Tem Tyndall stated that they were very impressed with Chief Green and his staff and they were happy that he was leading the Town. Councilmember Frazier stated that Chief Green does a great job. The motion was unanimously carried by all those present.

2. **Utilities Fee Structure Changes:** The Utilities Department requested to have the fee structure changed for the following water and sewer tap fees, meter sizing fees, and services for irrigation fees. The tap fee for sewer has been in place since 1997 at \$324.00, with the water tap fee being \$410.00. Meter sizing fees have been in place since September of 2000. The fees for water service for irrigation was originally established in 1996 and adjusted for meter cost only in 2000. The fees need to be adjusted to recover the cost of material and labor, due to the increased cost over the past years. The increase would recover the costs of material and labor. (New Water and Sewer Connection Fees chart attached.)

A motion was made by Councilmember Stambolitis and seconded by Councilmember Frazier to approve the new Utilities Fee Structure as submitted. The motion was unanimously carried by all those present.

3. **Purchase of Generators for Utilities Department:** In April, 2011 the Town made an emergency purchase of generators. Subsequently, an evaluation of the Town's pump stations is ongoing and it has been determined that additional portable generators are needed. For the FY2011 budget, Utilities budgeted \$235,000 for the West Main Street to Church Street to Columbia Avenue Water Main replacement as part of their CIP budget. However, the project will not begin until the FY2012 budget year and will be included in that budget. The generators purchased in April cost approximately \$195,000. The additional generators needed are projected to cost approximately \$100,000. Council's approval was requested to reallocate \$325,000

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for the Water Main project to the purchase of generators with no change to current appropriation totals.

A motion was made by Councilmember Frazier and seconded by Councilmember Stambolitis to approve reallocating \$325,000 for the Water Main project to the purchase of generators. The motion was unanimously carried by all those present.

- 4. Contribution to Palmetto Girls State:** Councilmember Maness received a request to sponsor Palmetto Girls State again this year from Ms. Doris Reynolds. The American Legion Auxiliary organized and has administered Palmetto Girls State since 1947. Council donated \$2,000 last year after West Columbia Councilmember Dale Harley made a request to Council. The contribution last year helped send several girls from Lexington High School to Palmetto Girls State. Councilmember Maness will be a speaker at the program this summer on June 12, 2011. The girls learn about government and produce a newspaper which informs citizens about government happenings in the state. Councilmember Maness stated that since it is at the end of the budget cycle for the year, and other contributions had already been made by Council, she recommended a contribution of \$1,000 to be given to Lexington High School for Palmetto Girls State. She stated that funded would need to be determined by the Town Administrator and Finance Director.

A motion was made by Councilmember Maness and seconded by Councilmember Stamboltis to approve a contribution of \$1,000 to Palmetto Girls State. Councilmember Stambolitis wished to stay with \$1,000 in order to not exceed the budget. Town Administrator Poole confirmed that staff had not made a recommendation and Council had made several other contributions this year including a large monument donation that was not previously budgeted. He added that if Council wished to make the donation, staff could budget for it next year. Finance Director Roberts stated that staff could probably find \$1,000 if Council wished to make the contribution this year. The motion was unanimously carried by all those present.

### COMMENTS

**Mayor Pro-Tem Tyndall** wished a Happy Birthday to all Town employees celebrating birthdays in May including Councilmember Frazier. Councilmember Maness wished Mayor Pro-Tem Tyndall a Happy Birthday on May 22<sup>nd</sup>. Mayor Pro-Tem congratulated Sgt. Hefner and Ptl. Beza for receiving letters of commendation. She told Chief Green that his entire department is wonderful and always very willing to go the extra mile to help. She congratulated Constance Flemming for receiving a saxophone from Kenny G on stage while he sang to her! Mayor Pro-Tem Tyndall welcomed John Hanson as the Town's Interim Planning, Building and Technology Director. She invited everyone to come to the Town's Grand Opening of the Farmers Market on Main Street from 9:00 to 1:00 on May 21, 2011. Mayor Pro-Tem Tyndall stated that Council meetings would be changed slightly during the summer months and the dates and times would be posted

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and would also appear on the Town's web page. Mayor Pro-Tem Tyndall congratulated the Radius Church on their opening yesterday. She added several Council Members attended and Radius Church will be a great neighbor on Main Street. She wished everyone a Happy Mother's Day this weekend and a great Memorial Day later in the month. Mayor Pro-Tem Tyndall encouraged everyone to come out to the Second Annual Wine Walk this Saturday from 6:00 to 11:00. Approximately 800 tickets have been sold and you can still buy them on-line. All the proceeds go to beautifying Lexington and it is a great and relaxing event. She added that Going Commando will be performing again and they are a great local band. Mayor Pro-Tem wished Frankie Harbuck a speedy recovery from her surgery. She stated that Frankie fell and broke her ankle in three places and hopes to go home from the hospital tomorrow.

**Councilmember Richard Thompson** wished everyone a Happy Mother's Day. He stated that recently he had a chance to go by a nursing home and he noticed that some of the ladies do not have any visitors. He encouraged everyone to go by and spend a few minutes with these ladies and wish them a Happy Mother's Day. He thanked God for our fighting forces, the United States of America, and President Barack Obama.

**Councilmember Kathy Maness** expressed her sympathy to the Calhoon family in the recent loss of their 20 year old son, Ian. She has known the family for many years and there are heavy hearts for such a loss. She will keep them in her thoughts and prayers. Councilmember Maness stated that she recently had the opportunity to speak to several elementary classes, including Ms. Westfall's 2<sup>nd</sup> grade class at Midway Elementary, where her son is a student. Last week she spoke to all the 3<sup>rd</sup> graders at White Knoll Elementary and talked about public service and the duties of Town Council. One student asked her if she worked for "Mr. Randy" to which she explained that she did not work for him, but she worked with him and everyone on Council worked together. She thanked the classes for giving her the opportunity to come speak to them. She thanked Senator Cromer for presenting the resolution to the Town and she learned a lot from the great research that was included in the resolution. Councilmember Maness stated that it was a great night to learn about Lexington history. She was very proud of the 4<sup>th</sup> graders who developed a web page about Lexington History and the Town would also make a link to it on the Town's web page at [www.lexsc.com](http://www.lexsc.com). She hoped everyone would come out to the Town's Farmers Market on May 21, 2011. She added that it was a result of a trip that she, Mayor Halfacre and several others made to Greenville where they learned about Greenville's Farmers Market. Councilmember Maness congratulated Pastor Todd Carnes and the members of Radius Church for their grand opening this past Sunday. She added that the building was in some disrepair, but it is now beautiful and she knows the Town will see great things from the congregation. She wished everyone a Happy Mother's Day and she will miss the Wine Walk because she will be spending time with her mom.

**Councilmember Ted Stambolitis** expressed his condolences to the Calhoon family and stated that it was a terrible loss to lose Ian at such a young age. He wished Mayor Pro-Tem Tyndall and Councilmember Frazier a Happy Birthday this month. He congratulated the Police Officers for their bravery for saving a man's life. He added that

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he is very proud of the Police Department because they always go above and beyond the call of duty. Councilmember Stambolitis was very proud of Ms. Dempsey's 4<sup>th</sup> graders. He stated that they did a wonderful job and the Town should keep them in mind for I.T. jobs. Councilmember Stambolitis congratulated Pastor Carnes and the Radius Church. He stated that they had taken an old building and turned it into a beautiful building which helps revitalize Main Street and helps serve the Lord. He wished a Happy Mother's Day to all the moms especially his mom and his wife. He thanked everyone for attending the meeting and God bless.

**Councilmember Danny Frazier** congratulated Radius Church and added that they have a lot of great things going on. He added that he attended the service yesterday and Pastor Carnes has them headed in the right direction. Councilmember Frazier stated that his prayers went out to Paula Calhoon, Kirk Calhoon and Otis Rawl in the recent loss of Ian. He was a good young man and was killed just before going to the Citadel. He encouraged everyone to come out for a great time at the Second Annual Wine Walk this Saturday where Going Commando will be playing. He stated that Jewitte Dooley and her staff do a fine job planning the event. He commended Mayor Halfacre for his efforts in trying to salvage Amazon.com. He stated that we need Amazon.com in Lexington because they bring a \$60 million payroll and it will come back to haunt South Carolina if a way cannot be found to bring them back to Lexington. Councilmember Frazier wished his mom, who had been under the weather lately; a Happy Mother's Day and he thanked her for everything she has done for him. He announced a meeting on May 24, 2011 at 6:30 in the Municipal Conference Center to discuss the rumors of a new road that may be cut from Ginny Lane to Woodside due to the two new schools. He added that Woodside comes out to Mineral Springs and it would impact Woodside Subdivision, Saluda Shoals, Baskin Hills, and a few others. It would allow traffic to go down Woodside to Ginny Lane to Mineral Springs which is a heavily traveled road. He stated that after he started hearing from citizens, SDDOT and the school district, he scheduled a meeting to discuss the issue. He added that flyers would also be distributed to the areas affected and he encouraged citizens to attend because representatives would be there from SCDOT and the school district.

**Town Administrator Britt Poole** wished a Happy 29<sup>th</sup> Birthday to Mayor Pro-Tem Tyndall and Councilmember Frazier.

**QUESTIONS FROM THE MEDIA:** None present.

**PUBLIC COMMENTS:** None.

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**ADJOURNMENT:** Mayor Pro-Tem Tyndall thanked the Council Members, citizens and students for attending the meeting tonight and for those at home for viewing the Council meeting on Channel 2.

A motion was made by Councilmember Maness and seconded by Councilmember Frazier to adjourn the Council Meeting. The motion was unanimously carried by all those present.

The Regular Council meeting was adjourned at 7:23 p.m.

Respectfully submitted,

Becky P. Hildebrand, CMC  
Municipal Clerk

APPROVED:

Hazel Leggett Tyndall  
Mayor Pro-Tem

*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.*