

**MINUTES**  
*Town of Lexington*  
**Executive Session and**  
**REGULAR COUNCIL MEETING**  
**July 18, 2011**

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Town Council held an Executive Session at 5:17 on July 18, 2011 prior to the Regular Council Meeting. Council did not hold a Work Session in July. The meetings were attended by Mayor Randy Halfacre, Mayor Pro-Tem Hazel Tyndall, Council Members Richard Thompson, Kathy Maness, Danny Frazier, and Todd Shevchik. Councilmember Stambolitis was absent due to a family illness.

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, Community and Economic Catalyst Johnny Jeffcoat, Director of Utilities and Engineering Allen Lutz, Finance Director Kathy Roberts, Director of Planning, Building and Technology John Hanson, Director of Parks, Streets and Sanitation Dan Walker, and I.T. Manager Josh Emory.

One (1) member of the news media was present and three (3) citizens were present.

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**EXECUTIVE SESSION REPORT**

Mayor Halfacre reported that the *Executive Session* was called to order at 5:30 p.m. after a motion was made by Councilmember Frazier and seconded by Councilmember Shevchik to go into *Executive Session*. The motion was unanimously carried by all those present. Council adjourned from *Executive Session* at 6:04 p.m. after a motion was made by Councilmember Shevchik and seconded by Mayor Pro-Tem Tyndall. The motion was unanimously carried by all those present. Mayor Halfacre reported that Council met in *Executive Session* to discuss: two personnel matters, one contractual issue regarding an economic development opportunity and two pending legal issues. No vote was taken. A motion was made by Mayor Pro-Tem Tyndall and seconded by Councilmember Thompson to ratify Mayor Halfacre's *Executive Session* report. The motion was unanimously carried by all those present.

**INVOCATION, PLEDGE OF ALLEGIANCE AND CALL TO ORDER:** Mayor Halfacre introduced the Council Members and welcomed everyone to the Council meeting. Councilmember Thompson gave the invocation. Councilmember Shevchik led in the Pledge of Allegiance. Mayor Halfacre called the meeting to order at 6:15 p.m. He later welcomed Chapin Mayor Stan Shealy.

**ADDITIONS/DELETIONS**

Mayor Halfacre requested that the following item be added to Council's agenda:

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- Talent Bank Application for Jim Fadell (Board of Zoning Appeals).

There being no objections, the item was added as New Business Item #1.

**APPROVAL OF MINUTES:** A motion was made by Councilmember Maness and seconded by Councilmember Shevchik to approve the minutes from the Regular Council Meeting and Council Work Session both held on June 13, 2011. The motion was unanimously carried by all those present.

**PRESENTATIONS:** None.

**TRAFFIC UPDATE**

Mayor Pro-Tem Tyndall provided an update on the Town of Lexington's continuing efforts to improve traffic. (1) The Town is in the process of selecting an engineering firm for the design of the Sunset Blvd. and I-20 interchange. The project is fully funded from SCDOT and Lexington County. Mayor Pro-Tem Tyndall thanked SCDOT, County Councilmember Jeffcoat, and the other County Council members for assisting with the Town's on-going beautification plans. (2) The George Street Sidewalk Project is expected to be under construction by September 2011. Mayor Pro-Tem Tyndall asked if anyone has any traffic issues to please contact 359-1027. The Traffic Committee will not meet in July, but will meet on August 16th at 8:00 a.m. in the Eli Mack, Sr. Room in Town Hall.

**PUBLIC HEARINGS**

Mayor Halfacre called the Public Hearing to order and requested that those wishing to speak limit their comments to five minutes.

1. An Ordinance Annexing 108 Thunder Road.
2. An Ordinance Updating the Code of Ordinances.

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

**OLD BUSINESS**

1. A motion was made by Mayor Pro-Tem Tyndall and seconded by Councilmember Shevchik to approve **Final Reading of an Ordinance Annexing 108 Thunder Road.** The motion was unanimously carried by all those present. (Ordinance attached.)
2. A motion was made by Councilmember Thompson and seconded by Councilmember Shevchik to approve **Final Reading of an Ordinance Updating the Code of Ordinances Section 50.21.** The motion was unanimously carried by all those present. (Ordinance attached.)

**NEW BUSINESS**

1. **First Reading of an Ordinance Calling for a Referendum to Authorize Sunday Beer and Wine Sales:** At the June Work Session, Town Council voted to place a referendum on the ballot of the next election asking voters whether Sunday off-premise beer and wine sales should be permitted. If the referendum is initiated by Town Council, it requires passage of the attached ordinance pursuant to Section §61-6-2010 of the South Carolina Code of Laws. The ordinance must be submitted to the County Election Commission no later than sixty days prior to the general election. Approval would allow the sale of beer and wine in grocery stores and convenience stores where it would not be consumed on the premises. On premise consumption is already permitted on Sunday in Lexington. (i.e., bars and restaurants.) Fees from permits can be used for purposes similar to those for which Accommodations and Hospitality Taxes can be used.

A motion was made by Councilmember Maness and seconded by Councilmember Frazier to approve First Reading of the Ordinance as stated. Councilmember Shevchik confirmed that their vote is only to place the question on the ballot in November for the citizens to vote on the final decision. The motion was unanimously carried by all those present. (Draft copy of ordinance attached.)

2. **First Reading of an Ordinance Annexing 611 Northwood Road:** LDP Properties owns 1.08 acres at 611 Northwood Road and has petitioned for annexation. The property is currently undeveloped. The Planning Commission will make a recommendation about the zoning district and road classification for the parcel later in July.

A motion was made by Councilmember Shevchik and seconded by Councilmember Frazier to approve First Reading as stated. The motion was unanimously carried by all those present.

3. **Park Place Court – Approval to Change Road Classification:** Recent disagreements about the size of medical facilities allowed in the Park Place Court area have highlighted the fact that the classification of this road may need to be reconsidered. Park Place Court is currently classified as a local road. Medical facilities located on local roads are limited to a maximum of 5,000 sq. ft.

A motion was made by Councilmember Frazier and seconded by Councilmember Shevchik to approve the change of road classification on Park Place Court to collector road. Councilmember Maness confirmed that the property is located off Highway 378 near Monkey Joe's. The motion was unanimously carried by all those present.

4. **Appointments to Board and Commissions:** Ms. Jeannie Michaels and Ms. Jan Westmoreland submitted Talent Bank applications. Ms. Michaels indicated an

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interest in serving on the Advisory Committee and two other Boards. Ms. Westmoreland indicated an interest in serving on the Historic Preservation Review Board. Both Boards currently have openings.

A motion was made by Councilmember Shevchik and seconded by Councilmember Maness to approve the appointment of Ms. Michaels to the Advisory Committee and the appointment of Ms. Westmoreland to the Historic Preservation Review Board. The motion was unanimously carried by all those present. Ms. Michaels was present and Mayor Halfacre thanked her for serving.

5. **Talent Bank Application for Board of Zoning Appeals:** Mr. Jim Fadell submitted a Talent Bank application on July 13<sup>th</sup> requesting to serve on the Town's Board of Zoning Appeals. There are two vacancies on the Board.

A motion was made by Councilmember Frazier and seconded by Councilmember Thompson to approve the appointment of Mr. Fadell to the Board of Zoning Appeals. The motion was unanimously carried by all those present.

**FOR YOUR INFORMATION**

1. **George Street Sidewalks – Mayor Pro-Tem Tyndall:** The Town received a CDB Grant to build sidewalks on George Street. The engineering was completed by the Dennis Corporation and bids were awarded to the lowest bidder, AOS Specialty in the amount of \$86,477.00. The notice to proceed begins with a start date of July 18, 2011 with 120 days for completion. Town Administrator Poole stated that the project did not start today, but should begin within two weeks.
2. **Emergency Procurements – Councilmember Thompson:** A summary of emergency purchases made in the second quarter of 2011 was presented to Council to accept as information and to direct the summary be recorded in the minutes of the Work Session. (Copy attached.)

**COMMENTS**

**Mayor Randy Halfacre** wished a Happy Birthday to all Town employees celebrating birthdays in July. He congratulated Police Officer Chris Ellisor and his wife, Jenny, on the birth of a baby girl on July 11, 2011. Her name is Madelyn McKenzie Ellisor. Mayor Halfacre wished a speedy recovery to Councilmember Stambolitis' father, John. He also asked that everyone keep Mike Till and his family in their prayers. He added that Mike's health was failing and he would be at home with 24 hour hospice care. Mayor Halfacre expressed his condolences to: Beverly Moore and her family in the recent loss of her father who was instrumental in the NASA Space program; to Charly Thomas in the recent loss of his grandmother-in-law; and to Dave Jefferies in the loss of his father-in-law. Mayor Halfacre announced that Council would not conduct a Work Session tonight. He stated that the information items were added to the Council's

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regular agenda and the next Council meeting and Work Session would be held on August 15<sup>th</sup>. Mayor Halfacre announced that a proclamation was recently prepared to honor the retirement of Judge Bill Shockley who worked for 22 years as the Lexington County District 4 Magistrate. Mayor Halfacre thanked Tom Ledbetter, Midlands Tech, for the success of the FastTrac Program held recently in Lexington. He congratulated the 18 to 20 entrepreneurs who participated and who will graduate this Thursday. Mayor Halfacre thanked Jennifer Dowden and the Parks Department staff for working hard on the Town of Lexington Farmers Market. He added that this Saturday the market would include a “Touch-a-Truck” event for the kids to see emergency vehicles from several agencies. He added that kids could also pick up their passports at the Farmers Market this Saturday. He stated that 150 passports were available which allowed kids to take photographs of Lexington landmarks in honor of the Town’s 150<sup>th</sup> Anniversary. Mayor Halfacre expressed very best wishes to Mayor Pro-Tem Tyndall and her fiancé, David Livingston, on their upcoming marriage. He added that they would make a great couple and he looked forward to welcoming David to the Town family. Mayor Halfacre hoped everyone was enjoying this very hot summer. He thanked Chief Green and the Police Department for helping citizens by providing fans.

**Mayor Pro-Tem Hazel Tyndall** thanked Dan Walker and the Parks Department for all the work they have been doing on streets and parks during the very hot weather. Mayor Pro-Tem Tyndall congratulated Mayor Halfacre on his new granddaughter whose picture was beautiful. She thanked Mayor Halfacre for his comments and stated that her family was growing and she would soon inherit three grandsons. She added that she has a daughter on a waiting list to adopt a baby and her other daughter is expecting. She was excited about the growth in her family and would introduce them to everyone soon. Mayor Pro-Tem Tyndall wished John Stambolitis a speedy recovery and she would keep him in her prayers. She encouraged everyone who was approached by her fellow Council members to please sign their petitions to be on the ballot in November.

**Councilmember Richard Thompson** encouraged everyone to help keep a look out on citizens during the hot summer months because the Police Department could not do it alone. He added that there are a lot of elderly citizens that live alone, so please check on them. He stated that he is collecting signatures to be on the ballot to run for Town Council in November, so he may be knocking on your door.

**Councilmember Kathy Maness** extended her prayers to Mr. John Stambolitis and she hoped everything goes well in Charleston. She thanked the three new Board members for volunteering to serve the Town. She added that there are several other vacancies on Boards and she encouraged citizens to take advantage of these opportunities. Councilmember Maness congratulated the FastTrac graduates. She added that she nominated five people for the class and regretted that she would miss their graduation due to being out of town on business. She hoped everyone enjoys the rest of their summer.

**Councilmember Danny Frazier** wished Mr. John Stambolitis a speedy recovery and he would be thinking about Councilmember Stambolitis and his family. He welcomed

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the new Board members and thanked them for serving the Town. He hoped everyone continued to have a good summer.

**Councilmember Todd Shevchik** thanked the core group of the Town staff for being at the meeting. He welcomed the new Board members and thanked them for serving on Town committees. Councilmember Shevchik wished Mr. John (Stambolitis) a speedy recovery and added that those that know Mr. John know he is a great fellow. He thanked the Police Department for keeping the Town secure during the summer heat. He added that it was good to see the Council Members following the MASC summer conference.

**QUESTIONS FROM THE MEDIA:** None.

**PUBLIC COMMENTS:** None.

**ADJOURNMENT:** Mayor Halfacre thanked the Council Members and citizens 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 Mayor Pro-Tem Tyndall to adjourn the Council Meeting. The motion was unanimously carried by all those present.

The Regular Council meeting was adjourned at 6:45 p.m.

Respectfully submitted,

Becky P. Hildebrand, CMC  
Municipal Clerk

APPROVED:

T. Randall Halfacre  
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.*