

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

Town Council held an Executive Session at 5:30 p.m. followed by the Regular January Council Meeting at 6:30 p.m. in the Council Chambers on January 4, 2021. The Council Meeting was attended by: Mayor Steve MacDougall, Councilmembers Kathy Maness, Todd Carnes, Ron Williams, Steve Baker and Todd Lyle. Mayor Pro-Tem Hazel Livingston was absent.

Staff members present were: Town Administrator Britt Poole, Assistant Town Administrator Stuart Ford, Municipal Attorney Brad Cunningham, Transportation Director Randy Edwards, Police Chief Terrence Green, Planning, Building and Technology Director John Hanson, Utilities and Engineering Director Allen Lutz, Utilities Superintendent David Patton, 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.

There were approximately fifteen (15) citizens present for the Council meeting 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 Council Members. He added that Mayor Pro-Tem Livingston was absent tonight due to COVID-19 protocol. He called on Councilmember Williams to give the invocation. Mayor MacDougall led in the Pledge of Allegiance. Mayor MacDougall called the meeting to order at 6:42 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 Carnes and seconded by Councilmember Williams to go into *Executive Session*. The motion was unanimously carried by all those present (5). (Councilmember Baker was not present for the vote.) Council adjourned from the *Executive Session* at 6:30 p.m. after a motion was made by Councilmember Williams and seconded by Councilmember Baker. The motion was unanimously carried by all those present (6). Mayor MacDougall reported that pursuant to SC Code §30-4-70(a) (1) and (2), Council met in *Executive Session* to discuss: four legal issues regarding pending litigation, advice on agenda items and advice regarding two Town Ordinances; three contractual issues regarding two economic development issues, one downtown and one regarding the School District; and one routine personnel review. No vote was taken. A motion was made by Councilmember Maness and seconded by

MINUTES
REGULAR COUNCIL MEETING
January 4, 2021

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

DELETIONS ON AGENDA: None.

PRESENTATIONS

1. **Lexington Medical Center 50th Anniversary Proclamation – Councilmember Kathy Maness:** Mr. Donny Burkett (Executive Vice President of Burkett, Burkett & Burkett CPAs) was present representing LMC as Vice Chairman of the Board of Directors. Councilmember Maness read a proclamation congratulating the Lexington Medical Center on the 50th Anniversary. (Copy attached.) She stated that the hospital opened in 1971 with 125 beds with a mission to provide quality health services. Today the hospital has 557 beds and three community medical centers.

Mr. Donny Burkett thanked the Mayor and Council on behalf of the Lexington Medical Center Board of Directors and staff. He stated that Lexington Medical Center has been very successful because they never forgot the focus of the hospital to take care of the patients and the people in Lexington County. Mr. Burkett added that LMC has a lot of great healthcare professionals who have gone over and above, especially this past year and it was amazing to see everyone work together to provide quality care at one of the most difficult times in the history of Lexington County. He hoped the hospital would celebrate another 50 years.

Mayor MacDougall thanked Mr. Burkett for attending tonight and asked him to share Council's appreciation with all Board members.

VISION PLAN UPDATE

Mayor MacDougall gave the following Vision Plan Update: (1) The Icehouse Amphitheater Pavilion is close to completion and if you have driven by lately, you have seen work being done to complete the roof and cupola. Construction crews are putting shingles on the roof and then they will install the building railings. Once complete, the Pavilion will host vendors during concerts and other Town events. (2) Gibson Pond Park's concrete work at the dam is complete and the spillway work is underway. The dam will feature two docks and a walking pier which will be completed later this year. (3) These projects and more are a result of the Town's Vision Plan which was reviewed and updated in November 2020. Council will provide updates during upcoming meetings. Citizens may read the entire Vision Plan on the Town's web page.

TRAFFIC UPDATE

Councilmember Ron Williams gave the Traffic Update: (1) Construction continues at

MINUTES
REGULAR COUNCIL MEETING
January 4, 2021

the North Lake Drive widening project near Azalea Drive. The shifting of traffic patterns will be ongoing. Citizens were asked to use caution in this area. (2) Road work continues at the Mineral Springs and Sunset Boulevard intersection. The new traffic pattern is expected to be complete in February. (3) Road work continues at South Lake Drive and Industrial Drive as part of the new Quick Trip development. Work is expected to be complete by the end of January. (4) The next Traffic Committee meeting will be scheduled as agenda items warrant. Citizens were asked to call 803/358-7273 if they were aware of a traffic signal issue, unsafe roadway situations, or a pothole that needs repair.

OLD BUSINESS

1. **Appeal of Impact Fee Assessment, Vision Ventures, LLC:** Councilmember Maness deferred the item to Councilmember Lyle. Councilmember Lyle presented the background information as follows: Tommy Cofield, Attorney, represented the owners of Vision Ventures Investment Group, LLC who appealed the Town's Staff Impact Fee Assessment. Council heard the appeal at their December 7, 2020 Council meeting where Town Administrator Poole presented the facts for the appeal which is summarized as follows: *According to information provided by the applicant, 6 additional CCFs (Capital Contribution Fees) would be required for the project and the cost of the additional CCFs is \$18,300 which is not part of the appeal nor is it something that can be appealed. Mr. Poole stated that the total Impact Fee for the project as presented is \$52,823.75 and is based on a fee of \$429.00 per thousand square feet for municipal facilities and \$5,608.00 per thousand square feet for transportation on 8,750 square feet. He added that since Carpet One was operational when the ordinance was adopted, they would receive a credit in the amount of \$16,124.74 that would be applied to the fee previously mentioned bringing the fee for the project down to \$36,699.01. The credit is based on the 6,664 square feet of retail space and 2,106 square feet of warehouse space that was available for the previous use and used by Carpet One.* Council was asked to render a decision.

A motion was made by Councilmember Lyle and seconded by Mayor MacDougall to deny the appeal of the Impact Fee Assessment as requested by Vision Ventures Investment Group, LLC based on the fact that there was not sufficient evidence presented to show that the ordinance had been applied incorrectly and evidence did not show that there were extraordinary or unusual circumstances due to the application of the ordinance. The motion was unanimously carried by all those present.

NEW BUSINESS

1. **First Reading of an Ordinance Annexing Lexington County Tax Map #5496-01-123 Located Behind 138 Zenker Road:** Fiddler's Green Corporation owns 8.39 acres located behind their facility at 138 Zenker Road and petitioned

MINUTES
REGULAR COUNCIL MEETING
January 4, 2021

to annex the property. The property is currently undeveloped. Properties in town near this property are zoned Industrial and Protected Residential. Zenker Road is already classified as a Local Road. The Planning Commission will review this annexation during their next meeting to recommend a zoning classification for this parcel. (Copy attached.)

A motion was made by Councilmember Carnes and seconded by Councilmember Williams to approve First Reading of an Ordinance Annexing Lexington County Tax Map #5496-01-123 located behind 138 Zenker Road as stated. The motion was unanimously carried by all those present.

2. **First Reading of an Ordinance Annexing Lexington County Tax Map #3400-02-015 Located at 127 Sixteen Mile Court:** Sixteen Mile Court, LLC, owns 4.2 acres located at 127 Sixteen Mile Court and petitioned to annex the property. A nine unit private subdivision is being planned on the property. Properties in town near this property are zoned Protected Residential. Sixteen Mile Court is not currently classified. The Planning Commission will review this annexation during their next meeting to recommend a zoning classification for this parcel.

A motion was made by Councilmember Williams and seconded by Councilmember Maness to approve First Reading of an Ordinance Annexing Lexington County Tax Map #3400-02-015 located at 127 Sixteen Mile Court as stated. The motion was unanimously carried by all those present.

3. **Traffic Signals at US Highway 1 and I-20:** The SCDOT is underway on the new US Highway 1 over I-20 Interchange Improvement Project as shown in the attached graphic. (Copy attached.) This project relocates or modified all three existing signalized intersections. The Town has a long-term plan to accept these intersections as part of our Signal Maintenance Program. Council was asked to approve the acceptance of the signals for maintenance and \$225,000 in funding, from the Roads and Infrastructure budget, for upgrade to mast arms.

A motion was made by Councilmember Lyle and seconded by Councilmember Baker to approve acceptance of the signals for maintenance and a payment of \$225,000 in funding for an upgrade to mast arms as requested. The motion was unanimously carried by all those present.

ANNOUNCEMENTS

Councilmember Baker made the following announcements: (1) He wished everyone a Happy New Year. He hoped everyone's 2021 was off to a great start. He added that even though 2020 had many challenges, we have learned a lot and are ready to move

MINUTES
REGULAR COUNCIL MEETING
January 4, 2021

forward. Councilmember Baker added that he and Councilmember Carnes were very excited about the college football playoffs. (2) The Board of Appearance will meet this Thursday at 9:00 a.m. in the Council Chambers. (3) Town Hall will be closed on Monday, January 18, 2021 in observance of Martin Luther King Jr. Day. (4) Council will meet again on Tuesday, January 19, 2021 at 6:00 p.m. for Council's Work Session in the Eli Mack Room. (5) The Planning Commission will meet on January 20, 2021 at 8:00 a.m. in the Council Chambers. On behalf of the Mayor and all of his fellow Councilmembers, they thanked everyone for watching their Council in action tonight.

Councilmember Ron Williams asked Town Administrator Poole if when road closures and lane changes start on Highway 6 if that information could be posted on the Town's website and Cable Channel 1301. Mr. Poole responded, yes, and Staff was trying to communicate that type of information on the Town's social media pages.

Mayor Steve MacDougall expressed the Town's condolences to the family of Sam McCuen who passed away this past weekend. He added that Sam was a great man and such a great community support person. Mayor MacDougall stated that Sam was fun-loving and did a lot for people around Town that nobody would ever know about. He added that Sam was a wonderful guy and we are really going to miss him.

NEWS MEDIA QUESTIONS: None.

PUBLIC COMMENTS: None.

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 of the meeting will be available on the Town's website at www.lexsc.com.

Mayor MacDougall stated that without objection from Council, he declared the 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

**MINUTES
REGULAR COUNCIL MEETING
January 4, 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.