

**MINUTES**  
**Town of Lexington**  
**Executive Session and**  
**COUNCIL WORK SESSION**  
**January 19, 2021**

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*Due to the COVID-19 PRECAUTIONS, Town Council held a Zoom Virtual Work Session. Citizens were invited to view the meeting LIVE on YouTube. If citizens had any questions during the meeting regarding agenda items, they were directed to call 803/808-4219 or email [wcrosby@lexsc.com](mailto:wcrosby@lexsc.com). Media questions were directed to Laurin Barnes, Communications Manager.*

Town Council held a virtual Executive Session at 5:30 p.m. followed by a virtual Work Session at 6:00 p.m. on January 19, 2021. The meetings were virtually attended by: \*Mayor Steve MacDougall, Mayor Pro-Tem Hazel Livingston, Councilmembers Kathy Maness, Todd Carnes, Ron Williams, Steve Baker and Todd Lyle.

Staff members present who virtually attended: \*Town Administrator Britt Poole, Assistant Town Administrator Stuart Ford, Municipal Attorney Brad Cunningham, Police Chief Terrence Green, Transportation Director Randy Edwards, Planning, Building and Technology Director John Hanson, Utilities and Engineering Director Allen Lutz, Finance Director Kathy Pharr, Parks and Sanitation Director Dan Walker, Downtown Venue Promoter Walker Brewer, Assistant to the Town Administrator Wesley Crosby, Communications Manager Laurin Barnes, \*Digital Media Coordinator Darrell Pritchard, Assistant Municipal Clerk Karen Hanner and \*Municipal Clerk Becky Hildebrand. (\*Present in the Council Chambers to conduct and film virtual meeting.)

There were no citizens present for the Council Work Session and no members of the news media were present.

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**OPENING STATEMENT**

Mayor MacDougall welcomed everyone to the Council Work Session. He read an opening statement to explain the procedures of a Council Work Session which stated: *“Work Sessions are less formal business meetings that enable Council to obtain and discuss information regarding Town issues from Staff members and/or consultants. Like Regular Council Meetings, citizens were encouraged to attend virtually and observe the Work Session; however, the meeting does not include Public Hearings, but allows for public comments at the end of the Work Session unless otherwise called on by Council. Council does not take an action vote on items during a Work Session other than to vote to place an item on Council’s next Regular Council Meeting agenda for consideration and an official vote. Council Work Sessions are taped for use by the Municipal Clerk only and Minutes are taken and posted on the Town’s web page following approval of Council.”*

**INVOCATION AND CALL TO ORDER:** Mayor MacDougall welcomed everyone to Town Council Work Session and introduced the Council Members. He called on Councilmember Carnes to give the invocation. Mayor MacDougall called the meeting to order at 6:02 p.m.

*Mayor MacDougall addressed the rules of procedure for the virtual meeting as part of the Town's Emergency Ordinance adopted on January 5, 2021. He announced that future virtual meetings would be determined if it was in the public's best interest to extend any precautions due to COVID-19. The meeting would be replayed several times during the week on the Town's Spectrum Channel 1301 and would be available on the Town's YouTube page. He encouraged citizens to call in on the number provided if they had a question regarding an agenda item and Wesley Crosby would answer any citizen calls and relay them to Council. Laurin Barnes would answer any media calls during the meeting. Mayor MacDougall reminded Council that many Staff members were attending virtually on the Zoom meeting and could be called on if Council had any questions for them.*

### **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 Williams and seconded by Mayor Pro-Tem Livingston to go into *Executive Session*. The motion was unanimously carried.

*Mayor MacDougall reminded Council that the information discussed during a virtual Executive Session was confidential and not to be shared outside the meeting. He asked each Councilmember to confirm that they were the only one in the room at their respective location and that no other person at their location was logged into the virtual meeting or in earshot of any communications to the best of their knowledge. Each Councilmember responded "yes" to confirm the above statement.*

Council adjourned from the *Executive Session* at 5:29 p.m. after a motion was made by Councilmember Williams and seconded by Councilmember Maness. The motion was unanimously carried. Mayor MacDougall reported that pursuant to SC Code §30-4-70(a) (1) and (2), Council met in *Executive Session* to discuss: two legal issues regarding pending litigation and advice regarding an agenda item; two contractual issues regarding a Downtown Development issue and an Economic Development issue regarding the School District; and, one personnel issue regarding a discussion concerning development of security personnel. No vote was taken. A motion was made by Councilmember Maness and seconded by Councilmember Williams to ratify the Mayor's report. The motion was unanimously carried.

**DELETIONS ON AGENDA:** None.

**APPROVAL OF MINUTES:** A motion was made by Councilmember Maness and seconded by Councilmember Williams to approve the minutes from Council's Regular Meeting held on December 7, 2020 and Council's Special Meeting held on December 21, 2020 as submitted. The motion was unanimously carried.

**PRESENTATIONS:** None.

**BUSINESS ITEMS:** (Discussion and recommendation for the February 1, 2021 Council meeting.)

1. **Public Sewer Service, Pine Point Drive in Murray Park Estates – Utilities Director Allen Lutz:** At the October 19, 2020 Council Work Session, Mr. Justin Brown made a presentation requesting the Town extend sewer service down Pine Point Drive in Murray Park Estates off Highway 378 West. Mr. Brown presented a petition with fifty (50) signatures from residents who have an interest and were requesting sewer be installed in their neighborhood. (Copy attached.) Out of the fifty (50) signatures, it appeared that the petition represented only thirty-nine (39) properties. The Utilities Department was directed to obtain an estimate for the cost to extend sewer lines to add service to this neighborhood. The estimated cost is \$187,500.00. To cover the construction cost of the proposed project, owners of fifty-one (51) parcels would be required to prepay CCF fees and handle this as a neighborhood cost participation. The Town has done similar sewer extension projects like this in the past, such as Hallmark Shores and Driftwood Point, where enough participants prepaid Capital Contributions to cover the estimated construction cost. Council was asked to place the item on the February 1, 2021 agenda for consideration if they wished to move forward with this request as a participation project and for Staff to start identifying residents willing to prepay and start the process. If approved, cost would be covered by prepaid CCF fees.

A motion was made by Councilmember Baker and seconded by Councilmember Williams to place the item on Council's February 1, 2021 agenda for consideration as stated. Councilmember Carnes asked when we do something like this and retrofit it, do we take the sewer line to the right of way line in the front of each home and stub it up or do we just run it along the road and not branch off. Mr. Lutz responded that we would stub it out at each block that had prepaid. Councilmember Carnes asked about the residents who do not prepay. Mr. Lutz responded that we do not stub it at those homes. Councilmember Carnes confirmed that it would be on the homeowner if they wanted to tie in later and go all the way to the line. The motion was unanimously carried.

2. **Mutual Aid Agreement with City of Myrtle Beach Police Department – Police Chief Terrence Green and Town Administrator Britt Poole:** The Lexington Police Department is entering into a Mutual Aid Agreement with the

City of Myrtle Beach Police Department. The agreement is for 2021 Memorial Weekend/Atlantic Beach Bike Fest Event. (Copy of proposed agreement attached.) Council was asked to place the item on Council's February 1, 2021 agenda for First Reading approval.

A motion was made by Councilmember Maness and seconded by Councilmember Williams to place the item on Council's February 1, 2021 agenda for First Reading approval. The motion was unanimously carried.

Councilmember Maness asked everyone to keep the City of Myrtle Beach in their prayers. She stated that former Mayor John Rhodes passed away this past weekend due to complications of COVID-19 and the citizens are very upset about the loss of such a good community man. Mayor MacDougall agreed that Mayor Rhodes was a wonderful guy and would certainly be missed by the citizens of Myrtle Beach.

3. **Icehouse Pavilion Policy - Downtown Venue Promoter Walker Brewer:** Council was provided a proposed rental policy for the Icehouse Pavilion along with a rental chart showing comparison pricing. (Copies attached.) Town Staff wished to discuss with Council how rentals will be handled. Currently the Town only rents the Icehouse Amphitheater for public events to help encourage foot traffic in the Main Street area. Three possible options include:
- (1) Allow private events at the Icehouse Pavilion while keeping the Amphitheater space only for public events.
  - (2) Only allow rental for public events at both the Icehouse Pavilion and the Amphitheater.
  - (3) Allow both spaces to be rented for public and private events.

Council was asked to place this item on Council's February 1, 2021 agenda for consideration.

Town Administrator Poole wished to make several comments and stated that the Town has had great success with the Amphitheater which was really increasing right up until COVID-19 for private rentals. He explained that "private event" meant they were public events that a private entity held. Mr. Poole added that policy has worked well, but the concern here is it seems like the Pavilion might be suited for having private events which would be private parties that are private because the Pavilion is small enough that it would not be a big public event. He stated that Staff is trying to get a feel for what Council wants to do and if they want to allow one of those private events to also rent the Amphitheater which is contrary to our current policy. Mr. Poole stated that Staff is trying to sort through the options in order to draft a policy that matches Council's expectations. He pointed out that the Town has had great success with rentals of the Icehouse Amphitheater and we keep the price so low, or basically just covering costs, so people will rent it to have events in order to drive foot traffic

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in the downtown area. He asked Council to keep these points in mind as they have a discussion about the item.

Councilmember Carnes stated that he was curious about the cost benefits and if we have a compelling reason to limit private events at either venue at this point, if we say they have been successful. Mr. Poole responded that as far as the Amphitheater, there is a compelling reason and that is it interferes with the rentals at Palmetto Collegiate Institute (PCI). He added that we do not rent both of those venues at the same time because obviously something you have at the Amphitheater is going to overwhelm the PCI event. He confirmed that we currently try to work that out so the Amphitheater may be rented on Friday and another event is held at PCI on Saturday. Mr. Poole stated that for the Pavilion he did not see a reason to not have a private event there because it is not going to interfere with something that is going on at PCI and it is not big enough to drive that much traffic or to interfere if something is going on at Town Hall. He added from a private stand point if you added the two events together it would interfere with activities at Town Hall and rentals at PCI because now you are talking about 2,000 people instead of a few hundred people.

Councilmember Williams asked if the Town would rent the Pavilion and the Amphitheater as a combination for someone who wants to rent the Pavilion and only lease PCI individually. Mr. Poole responded that could be an option, but we have been pretty successful in working with events because the use of the Amphitheater is fairly limited and not likely to be rented but once a week. He added that Staff has worked around it when PCI is rented for a wedding reception on Saturday night, to not rent the Amphitheater. He added that they could be linked together but he did not know if they would have to be linked together and if you did link them it would increase the cost significantly. Councilmember Williams noticed that the rental rate for out of town residents was \$800, \$600 for in town residents, and \$400 for non-profits. He thought in town resident rates were half for Town facilities. Mr. Poole responded that generally it is half but he did not think that was adopted for the Icehouse Amphitheater. He added that almost all of the rentals for the Amphitheater have been non-profits for \$400 because it is usually for a church or civic group that is putting on an event.

A motion was made by Councilmember Williams and seconded by Councilmember Baker to place the item on Council's February 1, 2021 agenda for consideration. The motion was unanimously carried.

Town Administrator Poole asked for clarification if the motion is to not allow private rentals at the Amphitheater, but to allow private events at the Pavilion. Mayor MacDougall responded that the motion was only to place the item on the February agenda and that there would be some discussion between now and then.

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4. **Pilgrim Point Streetlights – Finance Director Kathy Pharr:** Historically the Town has paid a portion of the street light bill for Pilgrim Point residents. In accordance with the Town's Residential Street Light Ordinance, the Pilgrim Point Homeowner's Association requested that the Town again pay a pro rata share of their street light bill. (Copy of letter attached.) There are 48 lots in Pilgrim Point and the Town Ordinance states that the Town would be responsible for one (1) street light per six (6) lots, which equals eight (8) lights. The total requested was \$2,146.56 (22.36 x 8 x 12). Funding would come from the Transportation Budget, account #100-5-665-520. Council was asked to place the request on their February 1, 2021 agenda for consideration.

A motion was made by Councilmember Lyle and seconded by Mayor Pro-Tem Livingston to place the item on Council's February 1, 2021 agenda for consideration. Councilmember Baker asked if this request would be done in perpetuity or does it have an end date so it would not have to be voted on each year. Town Administrator Poole explained that the request has to be considered each year because it has to be tied into the annual budget. He stated that it should be done because the Town does it for other neighborhoods, but Council has to vote on the request every year because the Town is expending public money for a private neighborhood with private roads so there is no other way for the request to be handled. The motion was unanimously carried.

**NEWS MEDIA QUESTIONS:** Mayor MacDougall called on Ms. Barnes who was available to answer calls from the media. Ms. Barnes reported that she had not received any questions from the news media.

**PUBLIC COMMENTS:** Mayor MacDougall called on Mr. Crosby who was available to answer calls from the public. Mr. Crosby reported that he had not received any questions from the public. (Copy attached.)

It was later recognized that **Ms. Diane Crosby** commented on the Town's YouTube live virtual meeting and stated that she was present for the Murray Park Estates decision. She also commented that Mr. Justin Brown was out of the country and he would try to log in. She thanked the Mayor and Council.

**COUNCIL/STAFF COMMENTS:** Mayor MacDougall confirmed that there were no further comments from Council or Staff.

**ADJOURNMENT**

Mayor MacDougall thanked the Council members and citizens for attending the virtual Zoom Council meeting. He thanked those at home for viewing the Council live on the Town's YouTube. A recording of the meeting will also be replayed several times during the week.

Mayor MacDougall stated that without objection from Council, he declared the meeting adjourned. The Regular Council meeting was adjourned at 6:22 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.*