

MINUTES
Town of Lexington
Executive Session and
REGULAR COUNCIL MEETING
April 5, 2021

Town Council held an Executive Session at 5:30 p.m. followed by a Regular Council meeting at 6:30 p.m. on April 5, 2021. The meetings were 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 were: Town Administrator Britt Poole, Assistant Town Administrator Stuart Ford, Municipal Attorney Brad Cunningham, Police Chief Terrence Green, Planning, Building and Technology Director John Hanson, Downtown Development Johnny Jeffcoat, Utilities Director Allen Lutz, Finance Director Kathy Pharr, Parks and Sanitation Director Dan Walker, Assistant Parks and Sanitation Director Johnny Dillard, 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.

Approximately 15 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 Carnes to give the invocation. He called on Councilmember Lyle to lead in the Pledge of Allegiance. Mayor MacDougall called the meeting to order at 6:37 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 Mayor Pro-Tem Livingston and seconded by Councilmember Baker to go into *Executive Session*. The motion was unanimously carried. Council adjourned from the *Executive Session* at 6:25 p.m. after a motion was made by Councilmember Maness and seconded by Councilmember Lyle. 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: four legal items regarding pending litigation, advice regarding agenda items, advice regarding a Town Ordinance, and an issue regarding sewer; one contractual item regarding a downtown development issue; and one routine personnel matter. No vote was taken. A motion was made by Councilmember Williams and seconded by Councilmember Maness 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 Carnes to approve the Minutes from Council's Regular meeting held on March 1, 2021 as submitted. The motion was unanimously carried.

PRESENTATIONS

1. **River Bluff High School Men's Basketball State 5A Championship Proclamation – Councilmember Todd Lyle:** Councilmember Lyle welcomed the Coaches and players to the Council meeting. He read a Proclamation congratulating the River Bluff High School Men's Basketball Team for winning their first State 5A Championship with their final win over Dorman High School of 57 to 45. (Copy attached.)

Mayor MacDougall congratulated the team and added that he knew this had to be a big checkmark for the Coach in his career.

Coach Lee thanked the Mayor and Council and stated that it really was a fun moment with the players and other coaches. He added that River Bluff is a great place with great leadership in Dr. Clamp and other staff members and he hopes to be there many more years.

2. **Marley Stokes, Miss South Carolina USA 2021 Proclamation – Councilmember Ron Williams:** Mayor MacDougall stated that he would like to take the honor of presenting the Proclamation. He read a Proclamation congratulating Marley Stokes for being crowned Miss South Carolina USA 2021. He added that Marley will go on to represent the Town of Lexington and the State of South Carolina in the 70th Miss USA Pageant later this year. Mayor MacDougall commended her for creating "Crayons for Kids" to help children with learning disabilities.

Miss South Carolina USA 2021 Marley Stokes stated that it is her honor to represent the State of South Carolina and even more important, her hometown of Lexington. She thanked the Mayor and Council for the Proclamation and for mentioning "Crayons for Kids" because it is her passion and she cannot wait to get back into the schools to help the kids with anything they need.

Mayor MacDougall excused all the students and parents from the rest of the meeting if they needed to leave. Councilmember Maness told them to enjoy their Spring Break.

VISION PLAN UPDATE

Mayor MacDougall reported the following: (1) The Icehouse Amphitheater Pavilion is complete! The open-air building is designed for vendors to set up during events. Mayor MacDougall was happy to announce that the Lexington Live Free Concert Series will return this Thursday at 6:30 and every Thursday through May 20th. He encouraged everyone to come out for the concert and he knew the weather would be good. (2)

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Gibson Pond Park's prep work is being done ahead of the installation of the fishing piers and bridge. Final grading is also being done on the road side of the dam. The majority of the construction is expected to be complete within the next couple months. (3) These and other projects are a result of the Town's Vision Plan. Council recently reviewed the Vision Plan and will have updates in future meetings. The entire Vision Plan can be viewed on the Town's web page.

TRAFFIC UPDATE

Mayor Pro-Tem Livingston gave the following Traffic Update: (1) Beginning tonight North Lake Drive will be closed to thru traffic between Main Street and Columbia Avenue each night from 10:00 p.m. to 6:00 a.m. The nighttime lane closures will last through Thursday, April 8, 2021. Please follow posted detour. (2) Road work continues at the Mineral Springs and Sunset Boulevard intersection. There will be some nighttime lane closures for widening this intersection. (3) Signal upgrades, including mast arms, are being installed at numerous locations along Highway 378/Sunset Boulevard as the final phase of the Town's Adaptive Signalization System. (4) Citizens were asked to call the Town's Transportation Department at 803-358-7273 if they were aware of a traffic signal issue, unsafe roadway situation 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 to Repeal the Face Covering Ordinance.
2. **Final Reading** of an Ordinance Rezoning a Portion of Lexington County Tax Map #4320-09-003 located on Addy Lane.

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

OLD BUSINESS

1. A motion was made by Councilmember Maness and seconded by Councilmember Baker to **approve Final Reading of an Ordinance to Repeal the Face Covering Ordinance #2020-34 which was passed on December 21, 2020.** The motion was unanimously carried. (Copy attached.)

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2. A motion was made by Councilmember Carnes and seconded by Councilmember Williams to **approve Final Reading of an Ordinance Rezoning a Portion of Lexington County Tax Map #4320-09-003 located on Addy Lane.** The motion was unanimously carried. (Copy attached.)

NEW BUSINESS

1. **First Reading of an Ordinance Rezoning Lexington County Tax Map Number 4300-01-015 located in the 200 Block of Saluda Springs Road:** SFST Lexington, LLC submitted a request to rezone a 1.51 acre parcel located in the 200 block of Saluda Springs Road. The property is currently zoned General Commercial (GC). The applicant requested to rezone the property to Protected Residential 2 (PR2) to facilitate the development of a nine unit Townhome project. Properties adjacent to this one are zoned General Commercial and Protected Residential 2. The Planning Commission reviewed this application during their March meeting and recommended approving the request. (Copy attached.)

A motion was made by Councilmember Williams and seconded by Councilmember Lyle to approve First Reading of an Ordinance Rezoning Lexington County Tax Map Number 4300-01-015 located in the 200 Block of Saluda Springs Road as stated. The motion was unanimously carried.

2. **Resolution Authorizing Saxe Gotha-Lexington Public Facilities Corporation Bond Anticipation Notes – Icehouse TIF:** The Lexington Town Council needed to authorize an additional roll-over refunding of the Icehouse TIF BANs which come due on May 7, 2021. The Resolution authorized the BAN roll-over and matters related thereto. (Copy attached.) This authorization is necessary due to the project delay from the 2015 flood which resulted in the roll-over period extending beyond the time provided in the original ordinance. This process insures the BANs are properly issued as tax-exempt notes. The TIF Bonds and related Saxe-Gotha Public Facilities Corporation Bonds and BANs are financed by incremental TIF property tax revenues in the specified TIF district. The financings are secured by an appropriations pledge to cover any potential short-fall in TIF revenues. Council was asked to adopt a Resolution to authorize Saxe Gotha-Lexington Public Facilities Corporation Bond Anticipation Notes – Icehouse TIF and matters related thereto.

A motion was made by Councilmember Baker and seconded by Councilmember Carnes to adopt a Resolution to authorize Saxe Gotha-Lexington Public Facilities Corporation Bond Anticipation Notes – Icehouse TIF and matters related thereto as stated. The motion was unanimously carried.

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3. **First Reading of an Ordinance to Adopt Adjusted Rates and Charges:** Stantec Consulting Services, Inc. performed an analysis of the Town's water and sewer recurring rates and charges, Capital Contribution Fees and various ancillary fees to determine the appropriate rates to fully recover cost for water and sewer service, provide sufficient reserves, meet the Town's obligations under the Bond Covenants and provide sufficient funding for our Capital Improvements Plan. The recommended series of annual rate increases over five years are 5.5% for FY 2022 and FY2023, and 3.5% for FYs 2024 – 2026. Capital Contribution Fees are recommended to reflect current replacement costs less accumulated depreciation and standard adjustments under the "buy-in" methodology. Various ancillary charges are proposed to be adjusted to reflect the underlying costs of providing particular services. Current Standardized out-of-town differentials are maintained. A fee in lieu of Franchise Fee charged directly to the Water and Sewer System is incorporated in the recommendations to be phased in over five (5) years. Adjusted rates and charges will be incorporated in the FY 2022 Budget. Council was asked to approve First Reading of an Ordinance to adopt adjusted rates and charges and fee in lieu of franchise fee to be effective July 1, 2021.

A motion was made by Mayor Pro-Tem Livingston and seconded by Mayor MacDougall to approve First Reading of an Ordinance to adopt adjusted rates and charges and fee in lieu of Franchise Fee to be effective July 1, 2021 as stated. The motion was unanimously carried.

ANNOUNCEMENTS

Councilmember Lyle made the following announcements: (1) On behalf of the Mayor and Council Members he wished Councilmember Kathy Maness a Happy Birthday today and thanked her for spending her birthday with us! (2) Events and concerts are back at the Icehouse Amphitheater. He was pleased to announce the return of LEXINGTON LIVE FREE CONCERTS (THIS WEEK), hosted by the Town of Lexington on Thursdays including: This Thursday is the kick off for Lexington Live Concerts at 6:30 featuring Finesse; next Thursday Lexington Live will feature Band of Oz; on the 22nd – Lexington Live will feature the Reggie Sullivan Band; on the 29th – Lexington Live will feature Whiskey Run. Lexington Live Concerts will continue through May 20th. He encouraged citizens to go to icehouseamphitheater.com for a complete list. (3) The Town is also bringing back the Town of Lexington's Wine Walk on May 8, 2021. (4) The Market at Icehouse will start on May 22, 2021. (5) Council will meet again on April 19th at 6:00 p.m. for Council's Work Session. (6) The Planning Commission will meet on April 22nd at 8:00 a.m. here in the Council Chambers. On behalf of the Mayor and his fellow Councilmembers, Councilmember Lyle thanked everyone for watching their Council in action tonight.

Councilmember Williams wished to put on record that everyone appreciated the Police Department for working so hard at the intersection of Mallard Lakes and Highway 378.

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Mayor MacDougall wished Councilmember Maness a Happy Birthday and hoped she had enjoyed her day. Councilmember Maness thanked him and added that she had spent time with her family, her NLC family and her Town family so it was a great day.

NEWS MEDIA QUESTIONS: None.

PUBLIC COMMENTS: None.

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 6:58 p.m.

Respectfully submitted,

Becky P. Hildebrand, CMC
Municipal Clerk

APPROVED:

Steve MacDougall
Mayor

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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.