

MINUTES
Town of Lexington
Executive Session and
REGULAR COUNCIL MEETING
May 2, 2022

Town Council held an Executive Session at 5:30 p.m. followed by a Regular Council meeting at 6:30 p.m. on May 2, 2022. The meetings were attended by Mayor Steve MacDougall, Mayor Pro-Tem Hazel Livingston and Councilmembers Todd Carnes, Ron Williams and Todd Lyle. Councilmembers Kathy Maness and Steve Baker were absent.

Staff members present were: Town Administrator Britt Poole, Assistant Town Administrator Stuart Ford, Municipal Attorney Brad Cunningham, Assistant to Town Administrator Wesley Crosby, Police Chief Terrence Green, Planning, Building and Technology Director John Hanson, Utilities Director Allen Lutz, Utilities Superintendent Billy Gunter, Finance Director Kathy Pharr, Economic Developer Jack Stuart, Parks and Sanitation Director Dan Walker, Transportation Administrative Assistant Laura Haney, Communications Manager Laurin Barnes, I.T. Manager Bea Daniels, I.T. Specialist Chris Boyd, Digital Media Coordinator Michael Tolbert, Assistant Municipal Clerk Karen Hanner and Municipal Clerk Becky Hildebrand.

Approximately ten (10) 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 Lyle to give the invocation. Mayor MacDougall called on Veteran U.S. Army Retired Sergeant First Class Rich Little to lead in the Pledge of Allegiance. Mr. Little stated that he was originally from Brooklyn, New York but ran from there as quickly as he could and joined the army. He served in the military for 22 years, served in military intelligence and retired on June 1, 1977. Mr. Little stated that he is 86 years old and settled in Lexington 36 years ago. He plans to live until he is 99 so he can celebrate his 50th anniversary with his second wife. He also owned his own business, Tutor Connection, for 17 years where he hired approximately 300 tutors from all the area colleges and universities to tutor in homes for kids from kindergarten up to the second year of college. He was very proud that they had processed over 1,000 students and six became teachers. Mr. Little is also a VIP with the Lexington Police Department. Mr. Little explained for Councilmember Lyle that his patch was from the Army Security Agency which he joined in 1955, but was initiated in World War II for the purpose telephonic spying. During that time he became a Polish linguist and a Russian linguist. He retired one day after the United Nations Army Security Agency was disbanded. Mayor MacDougall thanked Mr. Little for his service to our country. Mayor MacDougall called the meeting to order at 6:39 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 (4). (Councilmember Lyle was not present for the vote.) Council adjourned from the *Executive Session* at 6:09 p.m. after a motion was made by Councilmember Lyle and seconded by Councilmember Williams. The motion was unanimously carried by all those present (5). Mayor MacDougall reported that pursuant to SC Code §30-4-70(a) (1), (2) and (3) Council met in *Executive Session* to discuss: two routine personnel matters; two legal items regarding pending litigation and advice regarding agenda items; and one contractual item regarding a downtown development issue. No vote was taken. A motion was made by Councilmember Carnes and seconded by Councilmember Williams to ratify the Mayor's report. The motion was unanimously carried by all those present.

DELETIONS ON AGENDA: None.

APPROVAL OF MINUTES: A motion was made by Councilmember Lyle and seconded by Councilmember Williams to approve the minutes from Council's March 21, 2022 Work Session and Council's April 18, 2022 Work Session as submitted. The motion was unanimously carried by all those present.

PRESENTATIONS

1. **Presentation to Victim Advocate Dee Cochran, 2022 Gregory Alia Award – Kassy Alia Ray, Founder and CEO of Serve & Connect:** Ms. Ray thanked the Mayor, Council, Chief Green and the Lexington Police Department for everything they have done for Serve & Connect which she founded following the death of her husband, Forest Acres Police Officer Greg Alia, on September 30, 2015. Each year she honors an officer who gives of themselves so selflessly just like Greg. She wished to present this year's Greg Alia Award to Lexington Police Officer and Victim's Advocate Dee Cochran. Ms. Ray stated that she was blown away when she received the nomination for Officer Cochran from Chief Green and the passionate words about this amazing woman and officer, and it did not hold a candle to what she learned when she met Officer Cochran in person. She encouraged everyone to watch the video they made with Officer Cochran because it is so moving and incredible to hear from the people she has touched. She added that when Officer Cochran was first honored at their gala on March 19th her words were inspiring. Ms. Ray stated that Officer Cochran is a shining example of the culture that Chief Green has built with the Lexington Police Department.

Mayor MacDougall thanked Ms. Ray and added that he was at the gala to see Officer Cochran give that speech and, with nothing written down, she blew everyone away as it came from her heart. He called on Officer Cochran.

Officer Dee Cochran thanked Ms. Ray, the Mayor and Council, Chief Green and the Lexington Police Department. She added that Ms. Ray summed it up perfectly about the culture of the department. Officer Cochran stated that she went into law enforcement somewhat naive thinking it would be an officer of peace. She stated, like her garden, you have to start with good ground and even at times when she could not see what was growing, she had others around her who could see. Officer Cochran stated that she has grown a lot being with the Lexington Police Department. She added that it was a privilege to have her Mayor on stage as she received the award. She encouraged law enforcement officers that sometimes it is not just laying your life down physically for someone, it can also be spending time with someone and showing integrity and kindness. She accepted the award on behalf of the entire town because everyone has played a vital role in the work that she does.

2. **Kids to Parks Day Proclamation - Councilmember Ron Williams:** Councilmember Williams read a proclamation proclaiming May 21, 2022 as the 12th Kids to Parks Day which is organized each year by the National Park Trust. Citizens were encouraged to take the children in their lives to local, state and national parks and set good examples for Lexington's next generation. The proclamation would be mailed to the National Park Trust. (Copy attached.)
3. **Safe Boating Week Proclamation, Auxiliarist Ken Plessner, Lake Murray Flotilla 12-3 U.S. Coast Guard Auxiliary – Mayor Steve MacDougall:** Mayor MacDougall read a proclamation proclaiming May 21 through 27, 2022 as Safe Boating Week in the Town of Lexington to bring attention to important life-savings tips for recreational boaters. Mayor MacDougall presented the proclamation to Auxiliarist Plessner, U.S. Coast Guard.

Auxiliarist Plessner thanked the Mayor and Council on behalf of the U.S. Coast Guard Auxiliary and stated that recreational boating safety is a statutory responsibility of the United States Coast Guard and the Coast Guard Auxiliary is the principal agent through which this mission is executed. The Auxiliary consists of uniformed officers authorized by law as an element of the Coast Guard. He added that the Lake Murray Flotilla has about 40 members. They offer educational programs in boating safety and offer courtesy vessel inspections. In 2019 the Lake Murray Auxiliary provided over 3.3 million volunteer hours which equaled to cash equivalent of \$217 million dollars. He added that if the proclamation saves one life on Lake Murray it will be worth it.

VISION PLAN UPDATE

Mayor MacDougall reported the following: (1) *Virginia Hylton Park* expansion and renovation project is out for bid. The goal is to start construction on part of the park sometime this summer. This project is a complete overhaul of the park and will include all new equipment and features. (2) *Wayfinding* – Citizens should see the first phase of

MINUTES
REGULAR COUNCIL MEETING
May 2, 2022

the Wayfinding signs go up in the downtown area in the next month. The next set of signs are starting to be designed. The purpose of the Wayfinding Signage is to help point people to different popular destinations within the Town. (3) *Vision Plan Goal*: These projects and more are a result of the Town's Vision Plan. For a full list of all ongoing projects, visit the Town's website at lexsc.com.

TRAFFIC UPDATE

Mayor Pro-Tem Livingston gave the following Traffic Update: (1) Punchlist and cleanup crews will be in the N. Lake Drive and Harmon Street area over the coming weeks. This work will be intermittent and could require an occasional closure. Citizens patience is appreciated while this project is finalized. (2) Adaptive Signals went live along Sunset Blvd. (Highway 378) and N. Lake Drive on April 26, 2022. Staff continues to make minor adjustments to this corridor. Adaptive Signals along U.S. Highway 1 and W. Main Street are expected to go live by the end of the month. (3) The next Traffic Committee meeting has been scheduled for May 25, 2022 at 8:00 a.m. Citizens were asked to call the Town's Transportation Department at 803-358-7273 to report any traffic signal issues, unsafe roadway conditions or a pothole that needs repair.

PUBLIC HEARING

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 Amending Section §132.0, Loitering.
2. **Final Reading** of an Ordinance Annexing Lexington County Tax Map #4300-04-044 located at 112 Maxie Road.
3. **Final Reading** of an Ordinance Annexing Lexington County Tax Map #5496-04-005 located at 134 Industrial Drive.
4. **Final Reading** of an Ordinance Annexing Lexington County Tax Map #4496-02-096 located in the 2700 Block of Mineral Springs Road
5. **Resolution** for Financing to Renovate Park North Apartments.
Ms. Paige Miyazaki, Park North Housing Partners, LP was present but did not have any comments.

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 Lyle and seconded by Councilmember Williams for **Final Reading approval of an Ordinance Amending Section §132.0, Loitering**. The motion was unanimously carried by all those present.
2. A motion was made by Councilmember Carnes and seconded by Councilmember Williams for **Final Reading approval of an Ordinance Annexing Lexington**

County Tax Map #4300-04-044 located at 112 Maxie Road. The motion was unanimously carried by all those present.

3. A motion was made by Councilmember Williams and seconded by Councilmember Carnes for **Final Reading approval of an Ordinance Annexing Lexington County Tax Map #5496-04-005 located at 134 Industrial Drive.** The motion was unanimously carried by all those present.
4. A motion was made by Councilmember Carnes and seconded by Councilmember Williams to **table Old Business #4** (*Final Reading of an Ordinance Annexing Lexington County Tax Map #4496-0-096 located in the 2700 Block of Mineral Springs Road*) until Council's June 13, 2022 meeting. Mayor MacDougall clarified that this item was being tabled pending receipt of additional information. The motion was unanimously carried by all those present.

NEW BUSINESS

1. **First Reading of an Ordinance Annexing Lexington County Tax Map #3500-04-014 located at 4841 Sunset Boulevard:** D&H Sunset, LLC owns 9.59 acres located at 4841 Sunset Boulevard and petitioned to annex the property. An automobile dealership is being planned for this and adjacent property. Properties in Town near this one are zoned General Commercial and Sunset Boulevard is already classified as an Arterial Road. The Planning Commission reviewed this annexation during their April meeting and recommended the same zoning and road classification for this parcel. (Copy attached.)

A motion was made by Councilmember Lyle and seconded by Mayor Pro-Tem Livingston to approve First Reading of an Ordinance Annexing Lexington County Tax Map #3500-04-014 located at 4841 Sunset Boulevard as submitted. Councilmember Lyle asked if the dealership would have restrictions on their lighting. Town Administrator Poole responded that it is not just for car dealerships, but and commercial development has to submit a lighting plan if it is deemed necessary and it is always necessary for a car dealership because they obviously have a lot of lights. He added that it restricts light pollution to one lumen leaving the property which is a very low allowable level. The motion was unanimously carried by all those present.

2. **First Reading of an Ordinance Annexing Lexington County Tax Map #3500-4-035 located at 4851 Sunset Boulevard:** 378 Highway Partners, LLC owns .9 acres located at 4851 Sunset Boulevard and petitioned to annex the property. An automobile dealership being planned for this and the adjacent property. Properties in Town near this one are zoned General Commercial and Sunset Boulevard is already classified as an Arterial Road. The Planning

MINUTES
REGULAR COUNCIL MEETING
May 2, 2022

Commission reviewed this annexation during their April meeting and recommended the same zoning and classification for this parcel.

A motion was made by Mayor Pro-Tem Livingston and seconded by Councilmember Lyle to approve First Reading of an Ordinance Annexing Lexington County Tax Map #3500-04-035 located at 4851 Sunset Boulevard. Councilmember Williams asked since 378 Partners owns one parcel and someone else owns the other piece, will the properties be combined. Town Administrator Poole responded that is the assumption once they are both annexed. The motion was unanimously carried by all those present.

3. **First Reading of an Ordinance Annexing Lexington County Tax Map #4332-02-003 located at 508 Northwood Road:** Whitney and Roy Mitchell own approximately 1.6 acres located 508 Northwood Road and have petitioned to annex the property. A single family home is located on the site. Properties in Town near this one are zoned Protected Residential and Northwood Road is classified as an R-4 Road.

A motion was made by Councilmember Williams and seconded by Councilmember Carnes to approve First Reading of an Ordinance Annexing Lexington County Tax Map #4332-02-003 located at 508 Northwood Road. The motion was unanimously carried by all those present.

4. **First Reading of an Ordinance Annexing Lexington County Tax Map #4300-07-013 located at 281 Old Chapin Road:** Wiley and Linda Roberts own 4.02 acres located at Old Chapin Road and petitioned to annex the property. A single family home is located on the site. Properties in Town near this one are zoned Protected Residential and Protected Residential 2. Old Chapin Road is classified as a Collector Road. The Planning Commission reviewed this annexation during their April meeting and recommended Protected Residential zoning for the property and Collector Road classification for Old Chapin Road.

A motion was made by Councilmember Carnes and seconded by Mayor Pro-Tem Livingston First Reading approval of an Ordinance Annexing Lexington County Tax Map #4300-07-013 located at 281 Old Chapin Road. The motion was unanimously carried by all those present.

5. **First Reading of an Ordinance to Adopt the FY 2022-2023 Budget:** South Carolina law requires Town Council to adopt a balanced budget each year. Copies of the Budget Revenue and Expenditures are attached along with the draft ordinance.

A motion was made by Councilmember Williams and seconded by Councilmember Carnes to approve First Reading of an Ordinance to

MINUTES
REGULAR COUNCIL MEETING
May 2, 2022

adopt the FY 2022-2023 Budget. The motion was unanimously carried by all those present.

6. **First Reading of an Ordinance to Provide for the FY 2022-2023 Levy:** South Carolina law requires Town Council to adopt the Tax Levy each year. A copy of the draft ordinance Tax Levy for FY2022-2023 is attached.

A motion was made by Mayor Pro-Tem Livingston and seconded by Councilmember Carnes for First Reading approval of an Ordinance to Provide for the FY 2022-2023 Levy. Mayor Pro-Tem Livingston wished to note that the Town would not have a tax increase this year and have not had one in 20 plus years. She did not remember the last one unless it was right after she came on Council 24 years ago. She added that if citizens look at their tax bill and it has increased it is not from an increase from the Town. The motion was unanimously carried by all those present.

7. **Approval of a Resolution for Financing to Renovate North Apartments:** The Housing Authority of the City of Spartanburg, South Carolina, has been requested by Park North Housing Partners, LP, to assist in providing financial of the costs acquisition of an approximately 7.525 acre parcel of land located at 200 Brookhill Street West, and for renovation of the existing nine two-story buildings located the property. State law allows the Housing Authority in Spartanburg to assist in such a venture if there is no local Housing Authority available to do so. The attached Resolution must be passed by the local governing yd as part of the process. (Copy attached.)

A motion was made by Councilmember Lyle and seconded by Councilmember Williams to approve a Resolution for Financing to Renovate North Apartments as submitted. Councilmember Carnes asked if the 7.525 acre parcel was the full extent of the current Park North Apartments. Ms. Paige Miyazaki, Park North Housing Partners, LP responded yes. The motion was unanimously carried by all those present.

ANNOUNCEMENTS

1. **Councilmember Todd Carnes** made the following announcements: (1) He wished Mayor Pro-Tem Livingston a Happy Birthday later this month on May 22nd and commended her for serving 24 years on Town Council. (2) Council received sad news this weekend about the passing of Tommy Harmon after a battle with cancer. Tommy was a pillar in the community for a long time. Councilmember Carnes stated that he visited with the family yesterday and asked everyone to remember the Harmon family in our prayers. (3) The Icehouse Amphitheater continues to host many wonderful

**MINUTES
REGULAR COUNCIL MEETING
May 2, 2022**

concerts including one last Friday and Lexington Live Free Concerts are back. This Thursday features– The Root Doctors starting at 6:30 p.m. and next Thursday features Whiskey Run; on May 19th it will be The Big Time Band; and on May 26th Tokyo Joe returns! You can visit www.icehouseamphitheater.com for a full list of all concerts and events. (4) This Saturday, May 7th, the Town of Lexington’s Wine Walk returns to the Icehouse Amphitheater and Pavilion at 6:00. The Lexington Beautification Foundation celebrates the 11th year for the Wine Walk. The event features unlimited wine tastings and food for purchase. Tickets are \$35 this week or \$40 on Saturday. Each attendee will receive a souvenir wine glass and enjoy great music from Going Commando! Proceeds from this event go to the many beautification projects that you see around Town. (5) We have ALL been waiting for THE MARKET AT ICEHOUSE which starts Saturday, May 14th from 9:00 am to 1:00 pm and come out to help us promote and support local farmers, artists and more. The Market will run every Saturday from May 14th through September 24th, with the exception of July 2nd. The Market also has live music and food trucks. (6) Several Town meetings are lined up for April including: Council’s Work Session on May 16th starting at 6:00 in the Conference Center; the Planning Commission will meet on May 18th at 8:00 a.m. in the Council Chambers; the Traffic Committee will meet on May 25th at 8:00 a.m. in the 3rd floor conference room. (7) Town Hall will be closed on Monday, May 30th in observance of Memorial Day. (8) I would like to encourage everyone to attend this year’s Lexington County Law Enforcement Memorial Service to be held on Wednesday, May 18th at 9:30 a.m. located at 205 East Main Street. This service is held each year to honor those who made the ultimate sacrifice while unselfishly servicing their communities. This year especially honors the most recent End of Watch on April 24th for young Officer Drew Barr who was a K-9 Officer with the Cayce Police Department. Our prayers continue to go out to his family and his fellow officers. Councilmember Carnes added that Council had a tremendous presentation tonight with some people who walk that road and remind us how important our officers are. On behalf of the Mayor and his fellow Councilmembers, they would like to thank you everyone for being with them tonight.

NEWS MEDIA QUESTIONS: None.

PUBLIC COMMENTS

Ms. Paige Miyazaki, Park North Housing Partners, LP, was present in the audience and thanked the Mayor and Council and gave a summary of the plans for the apartments. Mayor MacDougall thanked her and added that Council did pause regarding the plans and it was reassuring to know that no one would be displaced.

CLOSING STATEMENT and ADJOURNMENT

Mayor MacDougall thanked the Council members and citizens for attending or watching the Council meeting held this Monday evening, May 2, 2022. He announced that a recording of the meeting would be available viewing on the Town’s website at www.lexsc.com.

MINUTES
REGULAR COUNCIL MEETING
May 2, 2022

Mayor MacDougall stated that without objection from Council, he declared the Council meeting adjourned. The Regular Council meeting was adjourned at 7:23 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.