

**MINUTES**  
*Town of Lexington*  
**Executive Session and**  
**REGULAR COUNCIL MEETING**  
**April 4, 2011**

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Town Council held an Executive Session at 5:30 on April 4, 2011 prior to the Regular Council Meeting which started at 6:30. The meetings were attended by Mayor Pro-Tem Hazel Tyndall, Council Members Richard Thompson, Kathy Maness, Ted Stambolitis, Danny Frazier and Todd Shevchik. Mayor Halfacre was absent to attend a meeting in Washington, D.C.

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, Director of Utilities and Engineering Allen Lutz, Finance Director Kathy Roberts, Planning, Building and Technology Director Leah Youngblood, Events and Media Coordinator Jennifer Dowden, and Grants Administrator Wesley Crosby.

No members of the news media were present and approximately twenty-five (25) citizens and students were present.

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**EXECUTIVE SESSION REPORT**

Mayor Pro-Tem Tyndall 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 6:02 p.m. after a motion was made by Councilmember Shevchik and seconded by Councilmember Stambolitis. The motion was unanimously carried by all those present. Mayor Pro-Tem Tyndall reported that Council met in *Executive Session* to discuss: two pending legal issues. No vote was taken. A motion was made by Councilmember Maness and seconded by Councilmember Shevchik to ratify the Mayor Pro-Tem's *Executive Session* report. The motion was unanimously carried by all those present.

**INVOCATION, PLEDGE OF ALLEGIANCE AND CALL TO ORDER:** Mayor Pro-Tem Tyndall introduced the Council Members and welcomed everyone to the Council meeting. She announced that Mayor Halfacre was in Washington, DC with a delegation from Richland and Lexington Counties to help secure Federal funding for the Midlands region. Councilmember Shevchik gave the invocation. Councilmember Frazier led in the Pledge of Allegiance. Mayor Pro-Tem Tyndall called the meeting to order at 6:33 p.m.

**ADDITIONS/DELETIONS** – None.

**APPROVAL OF MINUTES:** A motion was made by Councilmember Maness and seconded by Councilmember Shevchik to approve the minutes from Council's Work Session on March 21, 2011. The motion was carried by all those present.

**PRESENTATIONS**

1. (Moved to May Council meeting.) **Resolution Celebrating the 150<sup>th</sup> Birthday of the Town of Lexington – State Senator Ronnie Cromer.**
2. **Presentation of the King George II Land Grant for the Town of Lexington – Mr. Chuck Corley:** In honor of the Town's 150<sup>th</sup> birthday, Mr. Corley, along with his nephew Joseph Stanton Corley Leonard (10<sup>th</sup> generation), presented the Town with a framed copy of the land grant that the Town was founded on. He also presented a copy of the map showing the original seven lots that his Granny Corley donated to the Town. Mr. Corley added that his granddaddy always told them that the width of Main Street was due to the fact that it took that much space for Granny Corley to turn her buggy around to go back home. Mr. Corley added that the land grant is 207 years old and actually shows portions of Lexington County that were not yet claimed. Mayor Pro-Tem Tyndall accepted the presentations on behalf of the Town.
3. **Distinguished Budget Presentation Award for FY 2011 to the Town of Lexington – Mr. Billy Martin, President, Government Finance Officers Association of South Carolina:** Mr. Martin stated that he is also the Deputy Auditor for Lexington County. He was honored to present the award to the Town of Lexington in that the Town was one of seven cities to receive the award and for the second time. He added that only seven counties in the state received the award. Mr. Martin stated that the award is from the GFOA, a national organization, for fiscal year July 1, 2010. Mayor Pro-Tem Tyndall and Finance Director Kathy Roberts accepted the award on behalf of the Town.

**TRAFFIC UPDATE**

**Mayor Pro-Tem Tyndall** provided an update on the Town of Lexington's continuing efforts to improve traffic. (1) The Radius Church and Crossover Athletics will sponsor a road race on April 9, 2011. Citizens should expect delays on the following roads between 7:30 to 10:30 a.m.: US 1 Main Street between Third Avenue and North Lake Drive, Highway 6/Lake Drive from Main Street to Gibson Road, Gibson Road to South Church Street, South Church Street to Elm Street, and Third Avenue to Main Street. (2) SCDOT is in the process of retiming and studying many of the traffic signals in Town.

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(3) On March 22<sup>nd</sup> Lexington Middle School held a meeting to review the SCDOT Traffic Analysis for the school. Many ideas were discussed with teachers, parents, Town officials, and school administrators. (4) On May 7<sup>th</sup> from 3:00 p.m. to 11:00 p.m. drivers can expect delays due to closing the 100 block of Main Street for the 2<sup>nd</sup> Annual Wine Walk. She asked if anyone has any traffic issues to please contact 359-1027. The next Traffic Committee meeting will be April 19, 2011 at 8:00 a.m. in the Eli Mack, Sr. Room in Town Hall.

**PUBLIC HEARINGS**

Mayor Pro-Tem Tyndall called the Public Hearing to order and requested that those wishing to speak limit their comments to five minutes.

1. An Ordinance Amending §50.25 of the Town Code of Ordinances Regarding Tampering with Water Lines and Meters.
2. An Ordinance Modifying the Purchasing Ordinance Regarding Local Vendor Preference.

There being no comments, Mayor Pro-Tem Tyndall declared the Public Hearings closed.

**OLD BUSINESS**

1. A motion was made by Councilmember Thompson and seconded by Councilmember Shevchik to approve **Final Reading of an Ordinance Amending §50.25 of the Town Code of Ordinances Regarding Tampering with Water Lines and Meters.** The motion was unanimously carried by all those present. (Ordinance attached.)
2. A motion was made by Councilmember Maness and seconded by Councilmember Frazier to approve **Final Reading of an Ordinance Modifying the Purchasing Ordinance Regarding Local Vendor Preference.** Councilmember Stambolitis thanked Councilmember Frazier for bringing this proposal to Council. He added that it gives local vendors a break and subcontractors a break when bidding for jobs in Lexington. He stated that Town Council and staff are making every effort to try to help contractors get work here and to have incentives to keep local money here. He hoped the State of South Carolina would follow suit. Councilmember Frazier stated that the Town of Lexington is leading the pack in this effort to try and keep local people employed and keep the money here which also helps taxpayers. Councilmember Shevchik stated the new policy incorporates contractors hiring local sub-contractors so when big corporations come in they have incentive to hire local workers. He added that it is a good policy and a good thing to do for the businesses in the Town. The motion was unanimously carried by all those present. (Ordinance attached.)

3. A motion was made by Councilmember Stambolitis and seconded by Councilmember Thompson to approve **Final Reading of an Ordinance Annexing Additional Property for the Wellesley Subdivision**. The motion was unanimously carried by all those present. (Ordinance attached.)
4. A motion was made by Councilmember Frazier and seconded by Councilmember Shevchik to approve **Final Reading of an Ordinance Annexing Magna Signs at 224 Industrial Drive**. The motion was unanimously carried by all those present. (Ordinance attached.)

### NEW BUSINESS

1. **A Resolution in Support of Annexing County-owned Land Adjacent to a Town of Lexington Water Tower:** Lexington County owns property off Hendrix Street at TMS #4300-08-005. State law provides for the annexation of County-owned property by ordinance after both Town and County Councils pass resolutions in support of the annexation. County Council passed a resolution in support of the annexation of a portion of the above described parcel on March 22, 2011. (A copy of the required Town of Lexington Resolution is attached.)

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

2. **First Reading of an Ordinance Annexing County-owned Land Adjacent to a Town of Lexington Water Tower:** Lexington County owns property off Hendrix Street at TMS #4300-08-005. State law provides for the annexation of County-owned property by ordinance after both Town and County Councils pass resolutions in support of the annexation. Both Town and County Councils have passed resolutions in support of the annexation, so this is the First Reading of the required ordinance that would annex the property. The Planning Commission will make a recommendation about the zoning district and road classification for this parcel at its next meeting. An ordinance will be prepared for Final Reading. Other supporting documentation can be found with the agenda item for adopting a resolution in support of the annexation.

A motion was made by Councilmember Thompson and seconded by Councilmember Shevchik to approve First Reading. Town Administrator Poole confirmed that the property is the wooded area on the other side of the water tower. The motion was unanimously carried by all those present.

3. **First Reading of a Farmers Market Revised Ordinance:** As discussed at the March 7, 2011 Council Meeting, the Town will start a Farmers Market on Main Street starting in May. A revised ordinance will be presented and discussed to

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ensure all elements (merchandise, business license, etc.) are in place to run an efficient and successful market. (Copy of revised ordinance attached.)

A motion was made by Councilmember Maness and seconded by Councilmember Stambolitis to approve First Reading. The motion was unanimously carried by all those present.

4. **First Reading of an Ordinance Rezoning 204 and 208 Bickley Road:** Ted McGee requested to rezone 204 and 208 Bickley Road from Protected Residential (PR) to Limited Commercial (LC). He would like to use the parcels for a children's shelter, which would fall under the Zoning Ordinance's category of *Group Housing, non-temporary (limited)*. That category of use is allowed only in General Commercial and Limited Commercial zoning districts. The Planning Commission recommended rezoning the parcels to Limited Commercial (LC). An ordinance will be prepared for Final Reading.

A motion was made by Councilmember Stambolitis and seconded by Councilmember Thompson to approve First Reading. Councilmember Stambolitis wished to thank Ted McGee and Stan Dawsey for doing so much good in the community and for helping Christ Central Ministries in doing the Lord's work by initiating the children's shelter. Councilmember Maness asked if Ms. Youngblood could briefly describe the discussion held during the Planning Commission meeting. Planning, Building and Technology Director Youngblood stated that the discussion was uncontroversial, public notice was posted, but no one attended to express concerns about the project. She added that she received one call in favor and the surrounding property is industrial in nature with these two properties being the only residential lots in the area. Ms. Youngblood did not know how many children would be at the shelter, but it would be for children under the age of 12 who need a temporary place to stay and whose parents are in jail or otherwise unable to keep them for a non-specified time. She also confirmed that the shelter is church sponsored and not part of DSS. She did not have the details of how families are notified about the shelter. Councilmember Frazier stated that Mr. Jones of Christ Central Ministries also runs a home for veterans and another home in Columbia. Councilmember Thompson reported that Mr. McGee made a passionate plea to the Planning Commission to open the shelter. The motion was unanimously carried by all those present.

5. **Accommodations Tax Committee Award Recommendations:** The Accommodations Tax Advisory Committee (Don Layden, Chairman) met on March 9, 2011 to review and make recommendations regarding the allocation of FY 2011-2012 Town of Lexington Accommodations Tax funding. A copy of the spreadsheet listing the applicants who applied and the Accommodations Tax Committee's award recommendations as well as Council's recommendations from the March Work Session was attached for Council's review and approval. Award amounts equaled

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\$54,459.44 from the 65% accommodations tax funds available for distribution.  
 (Copies attached.)

A motion was made by Councilmember Frazier and seconded by Councilmember Maness to make two changes to the attached Council Recommendations and approve the following awards:

	<u>Requested</u>	<u>Committee</u>	<u>Council</u>
Capital City Lake Murray Country Columbia Metro Convention & Visitors Bureau	\$10,000 \$ 10,000	\$4,500 \$1,000	\$4,500 \$1,000
Columbia Museum of Art	\$ 5,000	\$1,000	\$ 500*
Columbia Regional Sports Council	\$10,000	\$4,000	\$4,000
Community Open Land Trust	\$28,705	\$1,459	\$ 0
Lexington Chamber	\$15,000	\$15,000	\$15,000
Lexington Beautification Foundation	\$20,000	\$ 5,000	\$10,000
Lexington Choral Society	\$ 4,850	\$1,500	\$1,459
Lexington County Museum	\$ 7,000	\$7,000	\$7,000
Lexington Dixie Baseball	\$ 5,000	\$5,000	\$5,000
Lexington Festivals/OktoberFest	\$ 3,000	\$2,000	\$1,000**
Topspin Adult Classic	\$ 2,000	\$2,000	\$1,000
Topspin Junior Classic	\$ 2,000	\$2,000	\$1,000
Red Bank Invitational Baseball	\$ 3,000	\$3,000	\$3,000

\*Changed from \$0 to \$500.

\*\*Changed from \$1,500 to \$1,000.

Councilmember Stambolitis wished to explain the Accommodations Tax. He stated that this is a tax received by the Town from accommodations to promote tourism. He stated that these groups had the best opportunity to provide tourism in Lexington and in the midlands. Councilmember Maness confirmed with Mr. Crosby that the amount this year is slightly more than last year. Mr. Crosby stated that \$2,000 was added back to the total from unclaimed funds from last year. Councilmember Maness wished Tim Flach was present from The State newspaper to see that Council fully funded the Lexington County Museum this year. Councilmember Stambolitis confirmed that Lexington County Arts Association did not claim their award last year. The motion to award the amounts as stated was unanimously carried by all those present.

6. **“After The Prom 2011” Sponsorship:** During the March Work Session, Mr. Oakley Dickson, After the Prom President, requested Council’s consideration to increase the Town’s support for the After the Prom 2011 events. After the Prom is a non-profit group that provides an alternative for high school students to attend an event after the proms held by Gilbert, Pelion, Lexington and White Knoll High Schools. The events this year will be held at the new AirFun location on April 30<sup>th</sup>,

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May 7<sup>th</sup> and May 14<sup>th</sup>. It was recommended by Council to sponsor the event in the amount of \$1,500. The funding source was to be determined.

A motion was made by Councilmember Shevchik and seconded by Councilmember Frazier to approve a \$1,500 sponsorship for "After The Prom 2011". The motion was unanimously carried by all those present.

**COMMENTS**

**Mayor Pro-Tem Tyndall** wished a Happy Birthday to all Town employees celebrating birthdays in April including Councilmember Maness. She expressed sympathy to John Walsh, SCDOT, in the recent loss of his sister who lived in Florida. She congratulated Golden State Foods Lexington Facility for winning the 2010 Chairman's Challenge Award. Mayor Pro-Tem Tyndall wished congratulations to Rhett Bickley on his retirement from Lexington County where he served 10 years as the official "Forester" for Lexington County. He was dedicated to the protection and preservation of the region's trees and natural areas. She thanked Mr. Corley for the presentation of the land grant to the Town of Lexington. She also wished to thank Mr. Martin for the finance award and it was a great job for the Finance Department. Mayor Pro-Tem Tyndall thanked all the students and citizens that came out on Saturday to help during the Great Lexington Clean-Up and hoped that Councilmember Maness would later give a more detailed report. She was pleased to announce that the Town received the raw 2010 Census numbers last week and the Town's new population is 17,870. She added that it was hard to believe the growth just since she became a Councilmember. She stated that this is an 84.5% increase over the 2000 Census. Since 1990, the Town of Lexington grew 443%, making us the fourth fastest growing municipality in the state over the past two decades. She added that the Town could potentially receive an estimated \$5.4 million in Federal dollars over the next ten years, helping to maintain a no tax increase and continuing to provide a higher quality of life through services such as public safety and parks. Also, Lexington County was named the second healthiest county in the State. The annual report was conducted by the University of Wisconsin's Population Health Institute and the Robert Wood Johnson Foundation. She reminded everyone of the upcoming Kids Day on April 30<sup>th</sup> in the Virginia Hylton Park from 10:00 to 2:00. She was assured that Councilmember Frazier would be cooking hotdogs again at the event. Mayor Pro-Tem Tyndall also reminded everyone of the 2<sup>nd</sup> Annual Wine Walk to be held May 7<sup>th</sup> on Main Street from 6:00 to 10:00 p.m. She added that tickets are now on sale and for more information citizens could go to [www.lexingtonwinewalk.com](http://www.lexingtonwinewalk.com). She later commented that she had talked to Jim Duckett, Town Administrator for Surfside Beach and was surprised to hear that his Mayor did not think he was opinionated enough.

**Councilmember Richard Thompson** wished Councilmember Maness Happy Birthday and all the citizens celebrating birthdays and he hoped they had many, many more. He quoted a saying he learned in elementary school: "life is like a ballgame, play it fair".

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**Councilmember Kathy Maness** welcomed the Lexington High School students to the meeting and she hoped they would take advantage of the After The Prom event that the Town voted tonight to help sponsor. She expressed condolences to Steedley Candler in the recent loss of his wife, Cindy. Councilmember Maness stated that Cindy was the organist for Lexington Baptist Church and her death is a loss to the entire Lexington community. She congratulated the five finalists for Teacher of the Year in Lexington District One. She added that she is looking forward to the Teacher of the Year Celebration on April 14<sup>th</sup> and hopes to see some of her fellow Council Members at the event to celebrate the many great teachers in the district. Councilmember Maness congratulated Finance Director Roberts for her work in receiving the distinguished GFOA Award. She thanked the 80 plus citizens and students who came out and helped last Saturday during the Great Lexington Clean-Up. She thanked the Advisory Committee Chairman, Don Horton, for helping plan a successful event where one ton of trash was picked up. She thanked the sponsors Advanced Disposal and Waste Management as well as the groups that helped including the Kiwanis Club, Lexington High School Honor Society and Key Club, and White Knoll Key Club and Team League. She wished all the teachers and citizens a great spring break and a Happy Easter.

**Councilmember Ted Stambolitis** expressed his condolences to the family of Amanda Peake and her children who lost their lives recently during a tragic shooting. He stated that he knows the family and they are really going through a rough time and he asked everyone to please extend their prayers to the family. He wished Councilmember Maness a Happy Birthday. Councilmember Stambolitis thanked Mayor Halfacre and a delegation that was currently in Washington, D.C. to bring awareness about Lexington and the midlands and the need for Federal funding. He stated that their agenda included meetings with: Dr. Dorothy Robyn, Undersecretary of Defense; Senator DeMint, Senator Graham, Congressman Wilson, and Congressman Clyburn. He was pleased that Mayor Halfacre and Mayor Benjamin had put this task force together to help bring assistance to our communities. He wished everyone a Happy Easter.

**Councilmember Danny Frazier** wished a Happy Birthday to Councilmember Maness. He also hoped that Mayor Halfacre and the delegation that traveled to Washington, D.C. will have success and bring back some much needed funding to the area.

**Councilmember Todd Shevchik** wished to call out Events and Media Coordinator Dowden and thank her for the good job she is doing and for maintaining the Town's Facebook page by bringing some character to the page so it is not boring. He thanked Councilmember Maness for assisting with the Great Lexington Clean-Up and for picking up some trash for him. He also commended Councilmember Maness for all she does on Council. He congratulated the Town on the population growth. He stated that the Town continues to keep up with growth by providing good Public Safety and water and sewer. He added that he does not take the sewer for granted anymore in that most citizens do not realize that it has to travel all the way to the City of Cayce where the

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Town spent approximately \$30 million on the treatment plant. Councilmember Shevchik thanked Mayor Pro-Tem Tyndall for making the meeting brief tonight.

**QUESTIONS FROM THE MEDIA:** None present.

**PUBLIC COMMENTS**

Mr. Stan Dawsey, First Citizens Bank, wished to thank the Council for their vote regarding the children's shelter. He added that everything he knows about Christ Ministries is that they are a good group and he also wished to thank Ted McGee.

**ADJOURNMENT:** Mayor Pro-Tem Tyndall thanked the Council Members, citizens and special guests for attending the meeting tonight and for those at home for viewing the Council meeting on Channel 2.

A motion was made by Councilmember Shevchik and seconded by Councilmember Maness to adjourn the Council Meeting. The motion was unanimously carried by all those present.

The Regular Council meeting was adjourned at 7:12 p.m.

Respectfully submitted,

Becky P. Hildebrand, CMC  
Municipal Clerk

APPROVED:

Hazel Leggett Tyndall  
Mayor Pro-Tem