

MINUTES
Town of Lexington
Executive Session and
COUNCIL WORK SESSION
August 16, 2010

Town Council held an Executive Session followed by a Council Work Session on August 16, 2010 in the Eli Mack Sr. Room. The Executive Session and Council Work Session were attended by: Mayor Randy Halfacre, Mayor Pro-Tem Hazel Tyndall, Council Members Richard Thompson, Kathy Maness, Ted Stambolitis, Danny Frazier and Todd Shevchik. Staff members present for a portion of the Executive Session were: Town Administrator Britt Poole, Assistant Town Administrator Stuart Ford, Municipal Attorney Brad Cunningham, and Municipal Clerk Becky Hildebrand. Also present for the Council Work Session were: Police Chief Terrence Green, Community and Economic Catalyst Johnny Jeffcoat, Utilities and Engineering Director Allen Lutz, Finance Director Kathy Roberts, Director of Parks, Streets and Sanitation Dan Walker, Planning, Building and Technology Director Leah Youngblood and Events and Media Coordinator Jennifer Dowden.

There were five (5) citizens present and two (2) reporters from the news media.

EXECUTIVE SESSION REPORT

Mayor Halfacre reported that the *Executive Session* was called to order at 5:02 p.m. after a motion was made by Councilmember Thompson and seconded by Councilmember Stambolitis to go into *Executive Session*. The motion was unanimously carried. Council adjourned from *Executive Session* at 6:05 p.m. after a motion was made by Mayor Pro-Tem Tyndall and seconded by Councilmember Shevchik. The motion was unanimously carried. Mayor Halfacre reported that Council met in *Executive Session* to discuss: two legal updates regarding a proposed property purchase and a property donation; one contractual issue related to pending litigation; and one personnel issue regarding Council. No vote was taken. A motion was made by Councilmember Maness and seconded by Councilmember Shevchik to ratify the Mayor's *Executive Session* report. The motion was unanimously carried.

CALL TO ORDER: Mayor Halfacre called the Work Session to order at 6:06 p.m. Mayor Halfacre welcomed everyone to the meeting.

APPROVAL OF MINUTES: A motion was made by Councilmember Stambolitis and seconded by Councilmember Frazier to approve the minutes from the July 19, 2010 Council Work Session and the July 19, 2010 Regular Council Meeting. The motion was unanimously carried.

PRESENTATIONS

1. **Annexation of Meineke at 1310 West Main Street – Ms. Donna Gehling, Lessee:** Ms. Gehling was upset that her business was annexed into the Town. She stated that the business was opened in 2007 and was annexed in February, 2010 when the owners of the property signed an annexation agreement. She explained that they were not consulted by the property owners, yet the additional taxes were passed onto her business as the Lessee of the property. She described how the economy had affected their business and how additional taxes and business license fees would be an additional burden. Ms. Gehling stated that she had advised Ms. Youngblood in 2008 that there were not interested in annexing and purposely picked a location in Lexington County and outside of the Town. It was her understanding that you can choose to not be annexed by obtaining 10,000 signatures (half of the Town's population) and place a referendum on the next ballot for the citizens to vote on it. She wanted the Town to look at each property and the details of each situation prior to annexing a property. She added that they pay their bills and should have been allowed to make a choice.

Mayor Halfacre stated that Ms. Gehling was caught between two contracts and at this point there was nothing that Council could do. He added that a lot of businesses do want to be in Town.

Mr. Gehling came forward and asked why they should have to be in Town. He added that Satcher Ford is not in Town and the Town could go around his business just like Satcher. He added that the Town's revenue is not his problem. Mr. Gehling stated that his business is located closer to county protection and they are more responsive than the Town's Police Department. He felt they were wasting their time and he would sell his business if the economy was not so bad, but he would obtain the 10,000 signatures. He confirmed that property owners had signed the annexation agreement.

Councilmember Frazier confirmed that Mr. and Mrs. Gehling lease the property under a triple net lease. He recommended that the Gehlings negotiate with the property owners.

BUSINESS ITEMS: (For Discussion and Recommendation for Council Meeting on September 7, 2010.)

1. (Deferred to September Work Session) **Proposed Peddlers and Solicitors Ordinance Amendment – Director of Planning, Building & Technology Leah Youngblood.**
2. (Deferred to September Work Session) **Amendment to §133.09 – Restrictions on Residency and Loitering of Sex Offenders – Municipal Attorney Brad Cunningham.**

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- 3. Adopting a False Alarm Ordinance – Chief Terrence Green:** The Lexington Police Department has seen a steady increase in the number of calls for false alarms. In 2007, there were 859 false alarms; in 2008, an increase to 978 calls, and in 2009, there were 1,151 calls. By adopting a false alarm ordinance, as proposed by the Police Department, a requirement for the home or business owner would be to register their system and secure a permit. They would also have to have two phone numbers on file to contact prior to calling police for each alarm. This would also help identify the responsible party and the alarm company for the infraction. In addition, the ordinance would require that the Police Department hold alarm awareness classes taught in partnership with alarm companies from the Lexington area. Other areas that have adopted such ordinances have seen up to a 35% reduction in false alarms. (Copy of ordinance attached.)

Chief Green added that the Town has experienced a 15% increase in false alarms this year. Two representatives from the alarm company were present to answer questions. It was estimated that it cost \$12,000 in salaries alone to answer false alarms.

A motion was made by Mayor Pro-Tem Tyndall and seconded by Councilmember Frazier to place the item on Council's September 7, 2010 agenda for First Reading. The motion was unanimously carried.

- 4. Columbia Metropolitan Airport Grant Match – Assistant Finance Director Stuart Ford:** The Columbia Metropolitan Airport is applying for a Small Community Lair Service Development Program (SCASDP) Grant and requested that local governments assist with the local match required by the grant. It was recommended that the Town pledge \$3,000 toward the total match requirement.

A motion was made by Councilmember Maness and seconded by Mayor Pro-Tem Tyndall to place the request on Council's August 16, 2010 agenda to be held following the Work Session. Mayor Halfacre stated that the Lexington Chamber would also be supporting the grant even though the airport may not actually have to use the pledged funds. If they do need the funds, it will be paid quarterly. The motion was unanimously carried.

- 5. Lexington High School Band Contribution – Councilmember Kathy Maness:** The Lexington High School Band Booster Club requested the Town's participation in funding for the Lexington High School Band. The band will be marching in the ABC/IKEA Thanksgiving Day Parade in Philadelphia. Funding for the trip is being raised by parents, students and sponsors. The total cost of the trip is \$150,000.00. (Sponsorship categories are attached.)

A motion was made by Councilmember Maness and seconded by Mayor Pro-Tem Tyndall to place the item on Council's September 7, 2010 agenda for consideration of \$500.00. Councilmember Maness stated that Mr. Russell

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Patterson spoke to Council about the request at a previous meeting. The motion was unanimously carried.

6. **Waiver of the Conference Center Room Rental Fee for the Dickerson Center for Children Gala and Auction:** Ms. Mollie Taylor with the Dickerson Center for Children requested a rental fee waiver for the Conference Center on March 5, 2011 for their second annual gala and auction. The Dickerson Center is located in West Columbia; therefore the out-of-town rate would apply. The total fee waiver would be \$1,000.00 and a \$250.00 refundable deposit would still be required. (Request letter attached.)

A motion was made by Councilmember Frazier and seconded by Councilmember Maness to place the item on Council's September 7, 2010 Council agenda. The motion was unanimously carried.

7. **Room Rental Fee Waiver for Oktoberfest 2011 – Municipal Clerk Becky Hildebrand:** Ms. Beth Edens with Oktoberfest requested a room rental fee waiver for the 2011 Oktoberfest festivities to take place September 16 – 17, 2011. They will need the use of the Conference Center, Virginia Hylton Park stage and the Eli Mack, Sr. room.

Conference Center	Deposit \$250 and Rental fee \$1,200 (\$600 x 2)
Virginia Hylton Park Stage	Deposit \$100 and Rental fee \$100 (\$50 x 2)
Eli Mack, Sr. Room	Deposit \$1500 and Rental fee \$100 (\$50 x 2)

A motion was made by Councilmember Stambolitis and seconded by Councilmember Frazier to place the item to Council's September 7, 2010 agenda. The motion was unanimously carried.

COUNCIL COMMENTS: None.

PUBLIC COMMENTS: None.

QUESTIONS FROM THE NEWS MEDIA: None.

STAFF: None.

ADJOURNMENT: There being no further comments or questions, a motion was made by Councilmember Maness and seconded by Councilmember Thompson to adjourn the Council's Work Session at 6:30 p.m. The motion was unanimously carried.

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Respectfully submitted,

Becky P. Hildebrand, CMC
Municipal Clerk

APPROVED:

T. Randall Halfacre
Mayor