

MINUTES
Town of Lexington
Executive Session II
COUNCIL WORK SESSION
August 15, 2011

Town Council held an Executive Session, a Regular Council meeting, a second Executive Session, followed by a Council Work Session on August 15, 2011 in the Eli Mack Sr. Room. The meetings were attended by: Mayor Randy Halfacre, Mayor Pro-Tem Hazel Livingston, Council Members Richard Thompson, Kathy Maness, Ted Stambolitis, Danny Frazier, and Councilmember Todd Shevchik. Staff members present were: Town Administrator Britt Poole, Assistant Town Administrator Stuart Ford, Municipal Attorney Brad Cunningham, Police Chief Terrence Green, Director of Planning, Building and Technology John Hanson, Community and Economic Catalyst Johnny Jeffcoat, Utilities and Engineering Director Allen Lutz, Finance Director Kathy Roberts, Director of Parks, Streets and Sanitation Dan Walker, Events and Media Coordinator Jennifer Dowden, and Municipal Clerk Becky Hildebrand.

There were approximately three (3) citizens present and no reporters from the news media.

EXECUTIVE SESSION REPORT II

Executive Session I was reported during the Regular Council meeting. (See separate minutes for Regular Council Meeting held on August 15, 2011.)

Mayor Halfacre reported that the *Executive Session II* was called to order at 7:15 p.m. after a motion was made by Councilmember Frazier and seconded by Councilmember Shevchik to go into *Executive Session II*. The motion was unanimously carried. Council adjourned from *Executive Session II* at 7:50 p.m. after a motion was made by Mayor Pro-Tem Livingston and seconded by Councilmember Stambolitis. The motion was unanimously carried. Mayor Halfacre reported that Council met in *Executive Session II* to discuss three contractual matters. No vote was taken. A motion was made by Councilmember Shevchik and seconded by Councilmember Maness to ratify Mayor Halfacre's *Executive Session II* report. The motion was unanimously carried.

CALL TO ORDER: Mayor Halfacre called the Work Session to order at 7:56 p.m.

PRESENTATIONS

1. **Mr. Ron Clamp – Donation of a Stone Sculpture to the Town of Lexington:**
Mr. Clamp owns a monument shop and also features living history in a monument art form. He offered to build a monument in three phases with approximately eleven panels that would be black African granite etched with the history of Lexington as it is written either from a newspaper or magazine. The panels would be 16,000 lbs. with bronze anchors in the back and would create an outdoor room.

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The panels could be moved within the circular granite base and/or changed. (Photos attached.) To construct the monument, Mr. Clamp requested a 40 foot by 40 foot parcel of land. He added that the Town may want to do the landscape and/or walkways to the monument. Mr. Clamp stated that he was not originally from Lexington, but he would like to do a living history piece for the community similar to projects he had done in California and Kentucky. He does approximately eight to ten projects a year and he would like be a part of the community and in turn, if he did a good job, then other cities may pay to construct a monument in their town. He would like to have Phase I completed before the end of the Town's 150th celebration.

Councilmember Shevchik stated that he has discussed the project with Mr. Clamp and thought it would be a unique way to present history as well as it being a beautiful piece of art. He added that Councilmember Maness had previously mentioned placing outdoor art in Lexington and this would be a way to accomplish that as well as it being a historic piece. He compared Mr. Clamp's project to the Veterans Monument in Columbia, S.C.

Councilmember Stambolitis liked the idea of the project and recommended that Dan Walker look for a spot for the monument; work up the Town related costs; and bring the item back to Council's next Work Session.

BUSINESS ITEMS: (For Discussion and Recommendation for Council Meeting on September 6, 2011.)

1. **First Responders Remembrance Memorial – Mayor Randy Halfacre:** The First Responders Remembrance Memorial Board of Directors requested the Town of Lexington's participation in funding for the memorial to be located at the Columbia Metropolitan Convention Center. (Brochure and donation levels attached.)

Mayor Halfacre asked Mr. Dan Hennigan if a sponsor received a table at the fundraiser featuring Coach Ray Tanner. Mr. Hennigan responded that the Coach Tanner fundraiser was a separate event and sponsors of the memorial would have their names placed on the monument for donations of \$10,000 to \$100. He added that the First Responders Remembrance Memorial cost \$750,000 and they still needed \$80,000. He stated that the City of Columbia gave \$50,000. Mr. Hennigan stated that etching would start on the sponsor names within a couple days, but they could possibly add a name in a few weeks. Mayor Halfacre stated that the Town had recently donated \$5,000 to the Law Enforcement Memorial and they could possibly give \$1,000 to the First Responders Memorial.

Councilmember Stambolitis recommended that Council give \$1,000 plus \$500 for a table for eight at the Coach Tanner fundraiser banquet. Councilmember Shevchik

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recommended that Council give \$2,500 directly to the memorial fund so they would receive the full benefit of the donation.

A motion was made by Councilmember Maness and seconded by Councilmember Shevchik to place the recommendation for a \$2,500 donation to the First Responders Remembrance Memorial on Council's September 6, 2011 agenda for consideration. The motion was unanimously carried.

- 2. Rental Fee Waiver for 3rd Annual Neighborhood Reunion Celebration – Events and Media Coordinator Jennifer Dowden:** The Neighborhood Reunion Committee is hosting their 3rd Annual Celebration and Block Party on Friday, September 9th and Saturday, September 10, 2011. The organization asked for a fee waiver for September 9, 2011 for the Eli Mack Room. The event would take place after business hours. (Copy of request letter attached.) Following is the value for the Eli Mack Room: Rental Fee \$150 (In-Town or \$200 (Out-of-Town) and a \$100 deposit would still be required.

A motion was made by Councilmember Stambolitis and seconded by Councilmember Shevchik to place the request on Council's September 6, 2011 agenda for consideration. Chief Green confirmed that the Town has helped close the street in the past for this event which is a family event held in the West Lexington area. The motion was unanimously carried.

- 3. Rental Fee Waiver for PowerUp Lunch Team – Events and Media Coordinator Jennifer Dowden** The PowerUp Lunch Team organization requested a new host venue for their fall luncheons as a result of their prior venue (Gibson Commons) no longer renting their facility. The organization asked for a fee waiver for the following tentative dates for the Conference Center – Suite B: Tuesday, September 20th; Tuesday, October 18th; and Tuesday, November 15th (conflicts with EngenuitySC Youth Entrepreneurial Showcase). Following is the value for the PowerUp Lunch Team events: Rental Fee \$400 (In-Town) or \$800 (Out-of-Town) plus a \$250 deposit (one-time fee when it is a reoccurring event). The one-time deposit of \$250 would still be required.

Ms. Dowden confirmed that the PowerUp organization was a church based group. Town Administrator Poole added that a waiver for them could present issues in the future if other church groups made a similar request. He added that a Muslim group periodically rents the Town's facilities and pays the stated rates and previously the Gideon's group was turned down for a waiver request. Mayor Halfacre stated that the PowerUp Team brings faith into the business community and it is a great program. He added that Phil Hamby and Tommy Harman made the request when Gibson Commons pulled the rug out from under them. Mayor Pro-Tem Livingston asked if an employee could rent the facility. Town Administrator responded they could if they were a member of the organization. Mayor Halfacre stated that he would rent the facility in his

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name for the PowerUp Team and pay the employee rate of \$200. No further action taken.

4. **Lexington High School Band Contribution – Municipal Clerk Becky Hildebrand:** The Lexington High School Band Booster Club requested the Town of Lexington's participation in funding for the Lexington High School Band. Contributions will be used to fund transportation, equipment and uniforms. (Copy of letter attached.)

A motion was made by Councilmember Stambolitis and seconded by Councilmember Thompson to place the request on Council's September 6, 2011 agenda for consideration of \$500.00. The motion was unanimously carried.

5. (Added.) **Temporary Capital Contribution Fee Policy Extension – Councilmember Danny Frazier:** Council approved a Temporary Capital Contribution Fee Policy Amendment on February 2, 2009 to encourage development during the recession. The policy, in part, waived the requirement that purchase of certificates after the initial prepayment be in minimum increments of 10 certificates (allowing for minimum purchase of one certificate versus ten). The temporary policy expired on February 2, 2011 and was extended on March 7, 2011 which expired on June 30, 2011.

A motion was made by Councilmember Frazier and seconded by Mayor Halfacre to place the request on Council's September 6, 2011 agenda for consideration to extend the temporary Capital Contribution Fee Policy for six months. Mayor Halfacre stated that it is the right thing to do, but he also wanted to make sure that it would not have a negative impact on the Town's Bond commitments. Assistant Town Administrator Ford stated that it does not have an immediate adverse effect, but it would now be in the second year which would eventually impact the Town's income. Town Administrator Poole stated that the extension would have to stop at some point. The motion was unanimously carried.

STAFF COMMENTS

Police Chief Green updated the Council on meetings held with the Lexington County Sheriff's office and Mr. Doug Jones regarding the release of inmates. Chief Green confirmed that the Town would now be notified of the releases in order to insure the safety of citizens in the neighborhoods located near the Lexington County Detention Center on Gibson Road. Citizens were concerned when inmates were released because they knocked on their doors and asked for money; use of the telephone; and/or a ride. Chief Green confirmed that the neighborhood meeting would be held September 8, 2011 at 6:30 p.m. at Mt. Olive Church.

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Director of Parks, Streets and Sanitation Walker updated Council on additional facilities at Caractor Park. Town Administrator Poole stated that pricing had been obtained for the shelter, which had been ordered, but the slide and the restrooms may have to come later. The shelter would match the existing shelters at the park and would be installed soon. Restrooms had certain size requirements (similar to the ones at Corley Street Park), and it could possibly be budgeted next year. Mr. Walker confirmed that the added amenities would change the look of the park because of its small size. Mayor Pro-Tem Livingston recommended that Councilmember Thompson get together with part of the original park committee to discuss the design. Councilmember Thompson agreed to relay that to the neighborhood group and let them know how much it would change the park. Mr. Walker agreed to also meet with the group to help explain the spacing requirements. He estimated that the restrooms would cost approximately \$30,000. Ms. Dowden confirmed that she has pursued additional funding from the original donors.

Director of Planning, Building and Technology Hanson advised Council that they may have a Work Session item soon regarding mobile food vendors. He stated that the Town's ordinance does not consider a food trailer a sidewalk vendor, but it may be considered a peddler unless it is a non-profit. Councilmember Stambolitis stated that if one large food trailer was allowed, then several more will want to come and it would also affect the brick and mortar businesses.

Mayor Halfacre thanked Mr. Hanson for handling another situation involving a closed business owned by Mr. Jimmy Derrick and their sign. He added that Mr. Derrick was upset to have to remove his sign, but Mr. Hanson's solution was to place a "for sale" banner over it.

COUNCIL COMMENTS

Councilmember Maness confirmed that the Board of Appearance would meet tomorrow at 9:30 a.m. regarding the thirty foot dandelion being requested by the Mellow Mushroom on Sunset Blvd. Town Administrator Poole stated that a Councilmember could attend the meeting if they wished to speak as an individual citizen. Councilmember Maness stated that the dandelion was installed after the restaurant's plans were approved by the Town. She added that the Board of Appearance was being asked to consider the dandelion as public art and not a sign. She stated that Mayor Pro-Tem Livingston had worked very hard on the Town's sign ordinance. Councilmember Stambolitis stated that if they could have a giant dandelion on an old light pole, he would like to have an airplane on a 30 foot pole. Councilmember Maness confirmed that the restaurant's only recourse if they did not agree with the Board of Appearance's ruling would be to appeal to the Circuit Court. Councilmember Shevchik agreed to attend the meeting.

PUBLIC COMMENTS: None.

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QUESTIONS FROM THE NEWS MEDIA: None.

ADJOURNMENT: There being no further comments or questions, a motion was made by Councilmember Frazier and seconded by Mayor Pro-Tem Livingston to adjourn the Council's Work Session at 8:50 p.m. The motion was unanimously carried.

Respectfully submitted,

Becky P. Hildebrand, CMC
Municipal Clerk

APPROVED:

T. Randall Halfacre
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.+