

ADOPTION OF MINUTES

A motion was made by Council Member Gambrell with a second by Council Member Simpkins to adopt the minutes from the January 14, 2019 Regular Council Meeting. With no discussion, a vote was taken by the show of hands.

VOTE: 9 Approved 0 Denied

A motion was made by Council Member Prouse with a second by Council Member Simpkins to adopt the minutes from the January 28, 2019 Council Work Session. With no discussion, a vote was taken by the show of hands.

VOTE: 9 Approved 0 Denied

MAYOR'S REPORT

Mayor Shull reported the next Regular Council Meeting will be March 11, 2019.

CENTRAL MIDLANDS - Council Member Gambrell

Council Member Gambrell reported there was no meeting.

ENVIRONMENTAL PLANNING & ADVISORY COMMITTEE (E. P. A. C.)

Council Member Prouse reported that the Committee met last month. He said that the entirety of the meeting revolved around the discussion of the Central Midlands 208 Plan which is a plan for management of Sewer/Wastewater Discharge, no action taken, just discussion.

JOINT MUNICIPAL WATER/SEWER COMMISSION - Mayor Shull

Mayor Shull reported that the Commission did not have a meeting since the last time we meet here. He said that another meeting will be held tomorrow night.

B-L Chamber of Commerce - Mike Taylor, President

- ≈ The Batesburg-Leesville Chamber of Commerce & Visitor's Center provides a calendar of events throughout the year. Our first event of 2019 will be our Batesburg-Leesville/Saluda Relay for Life/Chamber dance on March 15, 2019 at T&S Farms. All proceeds will be split with Relay For Life. The other major events are the SC Poultry Festival Golf Tournament in May, Annual Auction in August, Fashion Show in October, Annual Banquet in November, and of course the Christmas Parade. We take the toll free calls for the SC Poultry Festival and calls related to the Peachtree 23 Yard Sale. These are coming in now for events in May and June. Busy year for our community.
- ≈ FYI - The Midlands Business Leadership Group, which is made up of the top 50+ executives of the midlands, has reached out to the chambers to be a part of several of their committees. Of their seven priority initiatives two pertain to chambers. One is to build a Midlands chamber coalition to tackle multi-regional issues, drive priority regional projects, and engage elected officials. The other is to convene a new "Coordinating Council" for regional collaboration that, among other things, will lead the charge to integrate more diverse, young people into positions of leadership.
- ≈ The B-L Ministerial Alliance met this past Wednesday at the chamber and heard a presentation from the Dream Catchers and planned for the upcoming Community Good Friday Service. The Dream Catchers are having a Valentine Raffle and will have their meet and greet for the parents and family of the youth members at the B-L Leisure Center on March 14th.

PUBLIC COMMENT REGARDING ITEMS ON THE AGENDA - None

UNFINISHED BUSINESS -

A. Second Reading - Ordinance to Establish a Budget for the B-L Local Hospitality Tax

A motion was made by Council Member Gambrell with a second by Council Member Prouse to adopt on second reading. With no discussion a vote was taken.

VOTE: 7 Approved 2 Denied - Council Members Cain and Mitchell

B. Second Reading - Ordinance to Amend Title 7 Chapter 1 (Business Licenses) of the Current Code of Ordinances of the Town of B-L

A motion was made by Council Member Prouse with a second by Council Member Simpkins to adopt on second reading. With no discussion a vote was taken.

VOTE: 9 Approved 0 Denied

C. Second Reading - Ordinance to Adopt Low Income Senior Assistance Program

A motion was made by Council Member Simpkins with a second by Council Member Hallman to adopt the ordinance. Council Member Simpkins asked could administration refresh council on this ordinance. Manager Luckadoo stated that since 2007 we have been operating a Senior Assistance Program in the town. He said that the purpose of the program is to help low income seniors with their water and sewer bills. He stated that when the program was initially created, it allocated \$14,000 dollars toward this program and that was the cap for the income that we used then. He said that in the previous work session through our discussion, we came back and looked at different ways we could do this because the Federal Poverty Level fluctuates. He stated that we were staying stagnate in the poverty line and so what we did is we codified the Senior Assistance Program to define low income as someone who has an income of less than or equal to 130% of the Federal Poverty Level, which will be recalculated each January. He said that we have made this to follow the Federal Poverty Levels. So, as the Cost of Living increases are given, the level will increase as well to meet the requirements of the program of the town. Council Member Simpkins asked what the Income Requirement was for 2019? Town Manager Luckadoo stated it was over \$16,000, where previously we were set in stone at \$14,000. Council Member Simpkins stated, all senior citizens need to be made aware of this change. Town Manager Luckadoo stated that all question should be directed to Cindy Apple at the town hall. No further discussion a vote was taken.

VOTE: 9 Approved 0 Denied

NEW BUSINESS

A. Proclamation - Proclaiming March 2019 at the 17th Annual March for Meals Month

Mayor Shull read the Proclamation after which a motion was made by Council Member Simpkins with a second by Council Member Gambrell to approve Proclamation. With no discussion, a vote was taken.

VOTE: 9 Approved 0 Denied

B. First Reading - Ordinance to Amend the Animal Control Ordinance to Reflect Changes Made by Lexington County

A motion was made by Council Member Gambrell with a second by Council Member Simpkins to adopt the first reading. Mayor Shull asked for any discussion. Manager Luckadoo stated tonight they wanted to amend the ordinance to include changes made by Lexington County for us to participate in the Lexington County Animal Control Program. We must adopt their ordinance and any changes they make, since they are doing the enforcement in town. We have been participating in the animal control program since 2003. Services provided include picking up stray dogs, enforcing animal control ordinance and other animal control needs as they arise. The changes they recently made are:

- ≈ Mandatory sterilization and micro chipping of animals impounded at the shelter due to violation of restraint and confinement.
- ≈ Managed intake for owner surrender dogs. This allows the implementation of alternatives to immediate surrender of owned dogs by offering service referrals and surrender by appointment.
- ≈ Lexington County Animal Services will no longer accept owner surrender cats.

For those wishing to surrender a cat I think the nearest location for that would be Palmetto Life Line in Irmo. A few minor clerical changes were made to clean the ordinance up. After a brief discussion a vote was taken.

VOTE: 7 Approved 2 Denied (Council Member Cain & Mitchell)

C. First Reading - Ordinance Rezoning Two Parcels of Property Located NE of Mitchell Street from R-1 "Single Family Residential" to C-2 "Office and Institutional Commercial Lexington County TMS #5900-06-025 Consist of 13.77 Acres and TMS #5900-06-026 Consist of .73 Acres for a Total of 14.50 Acres.

A motion was by Council Member Gambrell with a second by Council Member Prouse to adopt the first reading. Mayor Shull asked for discussion and clarification from the Town Manager. Manager Luckadoo stated we do have the agent here tonight Mr. Harvey Sauls. The Lynn Goodman family has put in the request for these two parcels to be rezoned. The two parcels we are talking about are on the NE side of Mitchell Street, the big field that runs adjacent to the Wal-Mart property. It is currently R-1 Single Family Residential Zoning and they have requested to change to C-2 Office and Institutional Commercial for both properties. The Planning Commission did meet on January 22, 2019 and they voted to recommend

approval of rezoning to council. Mr. Sauls addressed council and stated that the property was across from the library. The landowners have had several requests from different individuals. Council Member Cain cautioned council once again that we decided that we were not going to spot zone properties in Batesburg. Council Member Mitchell stated also that council stated they would not spot zone. Council Member Simpkins asked was this an unanimous decision from the Planning Commission? Patricia Saeed stated she was filling in for Ms. Judy tonight, I will speak because I am Zoning Administrator. It was unanimous. For property to be considered spot zoning it would have to be less than two acres. The ordinance states that in order for a piece of property or properties to be rezoned it has to consist of at least two acres or more. The only way it could be considered spot zoning is if it was less than two acres. If you have an existing area that was already zoned and there is a piece of property adjacent to it, that could be rezoned as an extension of that zoning district or if property consist of two acres or more then it meets the requirement of the ordinance to be rezoned. But the only way it would be spot zoned was if it was less than two acres and this property is a total of 14.5. It is adjacent to Wal-Mart and Wal-Mart is C-1, so it is adjacent to commercial property. After discussion, a vote was taken.

VOTE: 7 Approved 1 Denied -Council Member Cain
 1 No Vote Council Member Mitchell

D. Approval of Contractor and Funds Related to Four Utility Relocation Projects

A motion was made by Council Member Prouse with a second by Council Member Gambrell to approve funds. Town Manger Luckadoo gave a recap of the projects:

- ≈ Windmill Road Water Line - part of DOT requested relocation in conjunction with US HWY-1 widening.
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- ≈ East Alley gravity sewer line (Economy Furniture) relocate sewer line to allow for Economy Furniture building expansion.
- ≈ Pershing Street Water Line - water line relocation to provide service to serve new development.

The lowest bid that come in was from SM Grading & Excavating, LLC in the amount of \$93,220.00. After discussion vote was taken. A motion was made by Council Member Prouse

and seconded by Council Member Gambrell to withdraw the motion to accept. A motion was then made by Council Member Simpkins with a second by Council Member Cain to table. Mayor asked any discussion on the motion to table. Councilman Cain stated he thought the items should be tabled to receive more information and separate the items out. Mayor Shull stated he thought we should look at separating the DOT items because it will stop the movement for expansion of HWY-1. Vote was taken to table.

VOTE: 4 Approve 5 Denied - Council Member Etheredge
 Council Member Whittle
 Council Member Prouse
 Council Member Hallman
 Mayor Shull

Mayor Shull stated motion fails. A motion was made by Council Member Hallman to approve Windmill Road and Augusta Highway project with a second by Council Member Whittle. Mayor Shull asked for any discussion. Council Member Simpkins stated they needed to be briefed on those again. Manager Luckadoo stated we have water lines in the area that need to be relocated both water and sewer. The prices we received was so the water and sewer lines could be relocated and HWY-1 can be widened. After discussion vote was taken.

VOTE: 9 Approved 0 Denied

MANAGER'S REPORT - Ted Luckadoo

A. Survivor Coin Presentation - Presented by Lexington County EMS, Magen Hallman

Council Member Hallman asked since the Fire Department has a structure fire could this item be delayed until the next meeting.

B. Special Presentation to Chief Oswald and Detective Doloes Chandler by VFW Post 6561 of Saluda SC.

Representative Holloway from VFW Post 6561 of Saluda SC was present to present presentation. Mr. Holloway stated he had nominated Detective Chandler for an award for District 2, but not only did she win for the district but the state. Your 2018 VFW winner award was read. Holloway stated he had written a grant and they have awarded the police department \$1,000 to purchase some equipment.

C. Event Updates - March Electronic Recycling Event, Town Egg Hunt

Town Manager Luckadoo stated he had a few event updates:

- ≈ March 23 - Recycling Event - On a Saturday from 9AM - 1 PM
- ≈ Annual Easter Egg Hunt - April 17 - 5:30 - 7:00 PM - 30th Year

D. Project Update - SCDOT Sidewalk Grant, CDBG Sewer Lift Station Project, CDBG Brodie Mill Pump Station Project, Walk/Bike Ability Study, Alternate Water Source Study, Master Plan RFP, Comprehensive Plan Update

- ≈ DOT Tap Grant - waiting to hear from them on Phase 1 start date, Highway 1 from Livingston Place to N. Lee Street portion, Phase 2 in the process of completing this grant located on Highway 23 from N. Lee Street to Wal-Mart.
- ≈ CDBG Sewer Lift Station - this project has been completed.
- ≈ CDBG Brodie Mill Pump State - County Council gave final approval on January 22 to award the town \$240,000 in left over CDBG funds from other projects.
- ≈ Walk/Bike Ability Study - March 07th the project team hopes to come back here at the town hall, council chambers and have another public, stakeholder, town hall session to talk about where they are at based on all the feedback they received and where they are at in the study once we have the time we will get out the public.
- ≈ Water Project Study in follow up to the council work session on the 25th, we have interviewed two of the four firms. At this time will be interviewing the others in the next week or two and we hope to be back on February 25th with the findings on the interviews and further information to try and make a final selection to perform the study for alternative water source.
- ≈ With regards to the Master Plan the request for proposals have been received and opened. Just to remind everyone this is the one we received a \$25,000 grant for from the Municipal Association Economic Development Grant. We had a total of nine firms to submit for that RFP. We are currently reviewing all this and we do have this on the February 25 Work Session to go through our findings.
- ≈ Comprehensive Plan Update - Central Midlands Council of Governments has been working for the past few months on the Comprehensive Plan Update which is a annual action plan item for this year. Their focus has been on updating on the existing conditions at the time and to update the census data that is in the Towns Comprehensive Plan. We did have a meeting about a month ago to discuss the next

≈ steps of this plan update and we have been providing them with a good bit of information relating to the existing conditions. On February 25th, they would like to meet jointly with the Planning Commission and the Town Council to do an update because the Comprehensive Plan is actually a function that not only falls on the Council but also the Planning Commission. They want to update their progress on the Comprehensive Plan. They are still planning on being done with this by June 2019.

E. Police & Fire End of Year Updates

Chief Wallace Oswald stated everyone had received the Year in Report. At this time Chief Oswald went over the statistics. (copy attached)

Fire department responded to a structure fire unable to give report at this time.

EXECUTIVE SESSION

- A. Discussion Of Contractual Matters Relating to Auditing Services**
- B. Discussion Of Contractual Matters Relating to Indigent Defense Services**
- C. Discussion Relating to Town Manager Annual Evaluation**

A motion was made by Council Member Gambrell with a second by Council Member Simpkins to go into Executive Session at 8:35. With no discussion, a vote was taken by the show of hands.

VOTE: 9 Approved 0 Denied

Return to Regular Council Meeting

A motion was made by Council Member Etheredge with a second by Council Member Prouse to return to the Regular Council Meeting at 9:50 P. M. With no discussion, a vote was taken by the show of hands.

VOTE: 9 Approved 0 Denied

POSSIBLE ACTIONS BY COUNCIL IN FOLLOW UP TO EXECUTIVE SESSION - None

POTENTIAL AGENDA ITEMS FOR MARCH 11, 2019 MEETING

Regular Council Meeting
February 11, 2019
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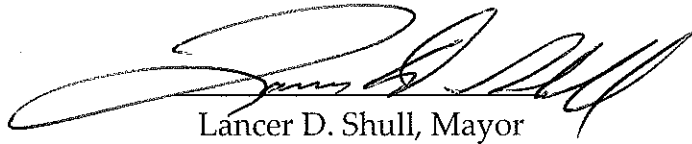
Council Member Simpkins stated he would like the Fire Department Year End Report be done at the February 25, Work Session. Council Member Hallman stated to place the Coin Presentation also. Council Member Cain wanted the Chase Policy also for the Work Session.

ADJOURNMENT

A motion was made by Council Member Simpkins with a second by Council Member Hallman to adjourn at 9:52 P. M. With no discussion, a vote was taken by the show of hands.

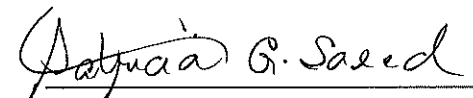
VOTE: 9 Approved 0 Denied

Approved this 11th day of March 2019.



Lancer D. Shull, Mayor

ATTEST:



Patricia G. Saeed