



Mayor Elise Partin	Mayor Pro-Tem James E. Jenkins	Council Members Phil Carter Tim James Hunter Sox	City Manager Tracy Hegler	Assistant City Manager Jim Crosland
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**City of Cayce
Regular Council Meeting
January 10, 2022**

The January Regular Council Meeting was held this evening at 6:00 p.m. via Zoom video and conferencing software. Those present included Mayor Elise Partin, Mayor Pro Tem James Jenkins and Council Members Phil Carter, Tim James and Hunter Sox. City Manager Tracy Hegler, Assistant City Manager Jim Crosland, Municipal Clerk Mendy Corder, IT Director Jamie Beckham, Finance Director Kelly McMullen, Human Resources Director Lynn Dooley and City Attorney Danny Crowe were also in attendance.

Mayor Partin asked if members of the press and the public were duly notified of the meeting in accordance with the FOIA. Ms. Corder confirmed they were notified.

Call to Order

Mayor Partin called the meeting to order and Council Member James gave the invocation. Mayor Partin led the assembly in the Pledge of Allegiance.

Approval of Minutes

Mayor Pro Tem Jenkins made a motion to approve the December 7, 2021 Regular Council Meeting minutes and the December 22, 2021 Public Hearing and Regular Council Meeting minutes as written. Council Member James seconded the motion which was unanimously approved by roll call vote.

Public Comment Regarding Items on the Agenda

Mayor Partin stated that the City's Director of Information Technology Mr. Jamie Beckham was going to walk everyone through how they could sign up for Public Comment. She stated that they were going to try to make it as easy as possible so everyone who wanted to speak could. Ms. Corder stated that Mr. Beckham seemed to be having technical difficulties. Mayor Partin stated that she would walk everyone through the process as best as possible and they would navigate the process together. She stated that anyone attending the meeting via Zoom that wanted to speak would need to use the raise hand function and anyone calling in would need to press *9.

Ms. Jessica Johnston, Item III. A. Ms. Johnston stated that she did not know what Mr. Crowe was going to present but she did look forward to hearing his presentation. She stated that based on the title of the agenda item it appeared it was only addressing the alleged comments by Mr. Hutson and she hoped that was not the case. She stated that she recalled in the meeting on November 17, 2021, that Mayor Partin felt a further investigation was warranted and said she wanted to know if there were other instances or related issues that have impacted City staff or citizens. Ms. Johnston stated that was also confirmed in the minutes in the agenda packet on page 15 in the statement by Mr. Crowe where he said that he would hear any members of the public who wished to discuss with him "any related issues" for his presentation. Ms. Johnston stated that with that understanding, she submitted her concerns to Mr. Crowe with

questions for him to answer on December 11, 2021. She stated that she never received a reply, clarification or acknowledgement. She stated that she had heard from others that they also did not receive a reply. She stated that Mr. Crowe, as a lawyer, had an ethical duty to respond in a reasonable time. She stated that according to the South Carolina Bar “reasonable time” was considered at least three (3) days. Ms. Johnston stated that since the public comments came first on the agenda and not following the presentation and because she did not know if it would be addressed in future meetings she wanted to make Council aware of the topic of her concern and submission. She stated that based on observation and feedback from others she felt there was a need to address some displays of discriminatory behavior within the City government, staff and/or operations related to individuals with disabilities. Ms. Johnston stated that she would like for her comments to Mr. Crowe to be recognized for the original purpose she and others believed the investigation would be addressing. She stated that another investigation could be opened if need be and if so, her recommendation would be to have a third party to complete the investigation. She stated that she believed using the City attorney could be a conflict of interest for complete transparency for the citizens. Ms. Johnston stated that many of the citizens she had spoken to did not believe the City attorney would represent them honestly especially if they were addressing City staff or officials. She stated that she had also addressed her concerns about this topic and the lack of reply from Mr. Crowe to her Council Member Tim James. She stated that she looked forward to the follow up in this matter.

Katty Hite, Item III. A. Ms. Hite stated that she thought everyone needed to be careful in how they present the City. She stated that in the last two (2) months she had heard more negative things about Cayce and its approach to people that are diverse than any time ever. She stated that this was from people that she did not think paid any attention to Cayce.

Danny Creamer, Item IV. A. Mr. Creamer stated that he had been the Chairperson of the Cayce Events Committee for quite a number of years. He stated that they had a great committee and a very diverse committee. He stated that they had found that inviting potential members to the next Events Committee Meeting worked very well. He stated that gave them a chance to get to know each other. He stated that in the past they had invited applicants to a meeting and they did not show up and when staff contacted them they said they had changed their mind. Mr. Creamer stated that he did not think that arbitrarily appointing people to a committee would work. He stated that if a committee meets a potential applicant then they can then recommend to Council their appointment. He stated that the Events Committee had been so successful because they worked as a unit and everything they did was for the betterment of the City. He stated he thought this was where everyone needed to work from starting with Council all the way down to every City employee.

Beth, Items IV. A. and V. A. Beth stated her pronouns were she/her. She stated that she wanted to point to the optics of what the conversation looked like. She stated

that it looked as though Council Members Carter, James and Sox were speaking together as a unit and it appeared as though there was tension or conflict on Council. She stated that the optics that she wanted to point to was that this was three (3) white men who were slowing down a process. She stated that whether or not the process needed to be redefined or not, the way that it looked did not come across that they were trying to support a representative community. She stated that she hoped that would be taken into consideration in the future. She stated that she hoped that processes that would move forward would take into account more people from more backgrounds. She stated that she would feel more comfortable if all of Council were agreeing that this was a process that needed to be revisited instead of just three (3) white men. She stated then she would feel more comfortable in understanding that Council was trying to approach something that was trying to create a representative or to continue to support a representative City Council in the City's committees as well. She stated that she was not pointing fingers and was not saying that the intention was to do anything that would look like that. She stated that as someone that could only watch and tell Council what it looked like, she hoped it would be taken into consideration moving forward in securing committee members. She stated that especially considering that the people who were the primary candidates for committees come from diverse backgrounds and offered different life experiences that could really add value to the City.

Marcy Hayden, Item V.A. Ms. Hayden stated that she had submitted her potential application for the Museum Commission. She stated that she was in the middle of a lot of the conversation that had taken place that evening. She stated that she was very excited about the opportunity to serve on the Museum Commission and appreciated having the opportunity to serve. She stated that she knew the last few weeks had been really difficult. She stated that she had spoken to some of Council and some members of the Museum Commission in different arenas. She stated that due to the high number of COVID cases she had not had a chance to talk to people in person but hoped to in the future. Ms. Hayden stated that there were always two (2) sides to every story. She stated that the perception was that there were some difficult things happening in the City but she liked to think of it as growing pains. She stated for example as the City grows and changes and matures and adds new residents and new perspectives into the City. Ms. Hayden stated that she had 16 years' experience in State government with a background in program management, anthropology and Native American Studies. She stated that she was a member of the Pee Dee Indian Tribe. She stated that she was very passionate about the museum and actually wanted to go into Museum Studies when she was in college and in her earlier career and focus on local history. She stated that serving on the Cayce Museum Commission was a perfect fit. Ms. Hayden stated that there were so many positive things that could be taken away from the process and the direction the future was going. She stated that her focus would be on the positive things the City was doing and keep pushing them forward. She stated that the beauty of the City was in those positive things.

Presentations

A. Presentation of Report on Investigation into Comments made by a Cayce Museum and Historical Commission Member

Mr. Crowe stated that if the Council Meeting had been held in person he would have already handed out copies of his report to Council and had copies available for the public. He stated that since they were using a different medium for presentation he would email his report to Mayor Partin and Council and the City Manager's office had copies of the report and its attachments available for distribution to the public upon request. Mr. Crowe stated that before he started his investigation he had a particular view of the scope of the task he had been assigned by Council. He stated that he did receive information from several members of the public however he did not show an email on December 11, 2021, from Ms. Jessica Johnston. He stated that if she would resend it he would be glad to address it. He stated that those emails contained information that he deemed beyond the scope of his investigation which is why he did not attempt any further contact. Mr. Crowe stated that he saw the investigation as limited to the incident involving the City employee and Marion Hutson as well as the issue of whether that incident reflected any broader negative racial attitudes or culture of the Museum Commission.

Mr. Crowe read the report, in its entirety, which is attached, along with corresponding attachments.

Mayor Pro Tem Jenkins stated that Mr. Crowe's suggestion of an advisory board was the best way to move forward. He stated that the Chairperson of the Museum Commission needed to be removed from that position and more citizens needed to be involved which would happen with the creation of an advisory board. He stated that the Museum Commission needed to be dissolved and start from scratch. Mayor Pro Tem Jenkins stated he wanted to make a motion to appoint the three (3) applicants. Mayor Partin stated that she wholeheartedly agreed with Mayor Pro Tem Jenkins and that item was coming up next on the agenda.

Mayor Pro Tem Jenkins stated that the report was good and cleared up a lot of things. Council Member James stated that he was thankful for the detailed and chronological report. Mr. Crowe stated that the City's interest was in making the report transparent since it had been discussed in City Council Meetings and that was the reason for making the report public. Council Member Sox thanked Mr. Crowe for the investigation and for how in-depth he went. He stated that a positive that could be taken from the report was that it illustrated problems with the City's appointment process. Council Member Carter thanked Mr. Crowe for a thorough and informative investigation and stated that he looked forward to being able to read it and digest it properly before he took any action on it.

Mayor Partin stated that the report was just on the agenda as a presentation but she would put on the next agenda action items in follow up so she was asking Council to get with her or staff so they could prepare what those actions items would be so they could take action on those items at the next Council Meeting. She stated that she was intrigued by Council Member Sox's takeaway from the report. She stated that she picked up some different items of concern. She stated that antagonism towards staff stood out to her as well as a lack of African American representation in their role in the history of the City. Mayor Partin stated that it stood out to her that there was support for the City employee's statement. She stated that it was a statement that all of Council said they supported and believed and looked the employee in the eyes and told her they believed her and then went on to gaslight her. She stated that they went so far as to put in an email the "alleged" comments. She stated that if anyone wanted to see those they were all out there.

Mayor Partin stated that it had been heartbreaking to watch what had been going on with the City leadership. She stated that she was excited to hear that the new appointments were good because it was something that Council had done that was good. She stated that it showed that they could increase the diversity of their appointments. She stated that the comments in the report regarding a few Museum Commissioners who were resistant and antagonistic to staff and have a wrong view of what their role should be was extremely concerning. She stated that it was concerning that there were words used like interference from administration. Mayor Partin stated that the Museum belonged to the City and was ran by the City as it should be. She stated that that antagonism should not be supported by Council and she hoped it would not be any longer.

Mayor Partin stated that she knew there were some close connections to some Council Members so far as to be called family. She stated that the comment "we have our councilman now" was concerning. She asked Council to get with her or staff before the next Council Meeting so they could put action items on the next meeting agenda for the public to see and so they could move forward and support the good work the Museum Commissioners have done but to clarify that it's even healthier and more representative for the City.

Items for Discussion and Possible Approval

A. Discussion of Council Volunteer Appointment Process

Ms. Hegler stated that at a December Council Meeting Council Member Sox noted that he had asked staff to research how other municipalities around the state handled the process of appointments, reappointments and removals from commissions, committees and boards.

Ms. Hegler stated that she shared with Council via email on December 17, 2021, that staff contacted six (6) municipalities. She stated that general commonalities included that none take recommendations from the board or commission, itself. Most Councils take the recommendation of staff or select themselves. None have complex processes. Reappointments are handled the same as original appointment but include the request of the member asking to be reappointed. All can remove members at any time with or without cause and did not have a formal process for that. Not all have a process for keeping applications on file, a couple said they hold them; one said they became inactive once the position was filled. While not written, most stated they struggled to find applicants for their boards, so having multiple volunteers to choose from was a rare opportunity.

Ms. Hegler stated that any changes to the City's volunteer appointment process was at Council's discretion. She stated that however, based on how the City historically appointed volunteers and communication with other municipalities regarding their process, staff did not have any recommended changes.

Council Member Carter thanked Ms. Hegler and Mr. Crosland for researching other municipalities processes. He stated that he reviewed it and had made some notes of his own. He stated that Irmo's staff vetted their applicants, Blythewood's Mayor interviewed their applicants, West Columbia did a background check and discussed their candidates in Executive Session, the City of Hanahan did a background check that was vetted by their staff, the Town of Lexington's staff vetted their applicants and discussed it in Executive Session and lastly Lexington County did a background check. Council Member Carter stated some things had happened in the past that justified the City needing a written process of protocols and procedures. He stated that while serving on Council, before Council Members James and Sox joined Council, an applicant was approved unanimously that was on a federal watch list. He stated that the application was not vetted and Council approved it. He stated that Council was notified the evening of the meeting of the issue and were able to withdraw the offer of appointment.

Council Member Carter stated that a few months ago there were multiple candidates for one (1) open position on a committee. He stated that Council was not aware that there were multiple applicants because they do not receive committee meeting minutes until after Council has taken action. He stated that this occurred when some City committees were inviting potential members to attend one of their meetings. He stated that Council was only presented one (1) application which they gladly approved. He stated that the applicant was actually chosen by someone who lived in another county. He stated that he did not have an issue with the applicant but the process.

Council Member Carter stated that a few weeks ago Council received two (2) applicants for the one (1) open position on the Planning Commission. He stated that he

did not know either applicant. He stated that some applications are filled out with a lot of detail and some have very little detail. He stated that Council typically did not receive any contact information other than the street the person lives on. He stated that to have seated one of the applicants at the December 7, 2021, Council Meeting would have been nothing more than a flip of a coin which would have been a disservice not only to the City but the Planning Commission as well. He stated that since the December meeting he had the opportunity to look into it and he thought they were going to seat a good candidate.

Council Member Carter stated that in reference to the Museum Commission it was not that long ago that Council unanimously approved the Commissioner's application that recently resigned. He stated that had the City had a process that situation could have perhaps been addressed years ago. He stated that he thought Council should consider some things that night. He stated it would be a beginning and he did not think they were in a position to vote on new procedures and protocols that night. He stated that he had wanted a dialogue started which had happened and he appreciated that. He stated that he felt they should consider things like background checks and potentially discussing the candidates in Executive Session and perhaps an interview process.

Council Member Carter stated that Council used to basically rubber stamp applications which was fine because often there was only one (1) applicant for the one (1) open position or one (1) applicant and two (2) open positions. He stated they struggled to get candidates but now they had a surplus which was wonderful. He stated times had changed and they needed to have a proper process for making the selections. He stated that he had been in real estate for 35 years and every time he renewed his license he simply paid \$35 and filled out an application. He stated that this year he was fingerprinted and had a background check done on him. He stated that things changed and things had changed with the City's committees. He stated they had a need and a call for diversity and inclusion and he supported that 100%.

Council Member Carter asked if when he received a potential member application should he call the candidate. He stated that if so, what kinds of questions should he ask. He stated that he was not a Human Resources professional and one had to be careful. He stated that he thought the examples he had given dictated and screamed for a process. He stated that it did not have to be a complex process. He stated that it was his understanding that when the City received the current two (2) applications for the Planning Commission the Commission itself did not know it had an open position. Council Member Carter stated processes had to be put in place to better that.

Mayor Pro Tem Jenkins stated that he was not aware of some of the issues Council Member Carter mentioned. He stated that he would like to have the minutes pertaining to the items Council Member Carter brought up to refresh his memory if it

happened when he was serving on Council. He stated that he did not recall some of those issues but if they had happened then he agreed that Council may need to look at different things. Mayor Pro Tem Jenkins stated that they were trying to fix something that really was not broken. He stated that the issue got started when there was a seat on the Museum Commission that needed to be filled. He stated that they were going to make something to tie in with what someone else wanted. He stated it was not for the City. Mayor Pro Tem Jenkins stated he was there for the City. He stated that he was there for the Museum when they came in the way the City was trying to conduct business.

Mayor Pro Tem Jenkins stated that if the Museum Commission could not handle themselves any better than the Commission needed to be revamped. He stated that some of the commissioners thought they had too much power and did what they wanted to do and not what the City said needed to be done. He stated that they were trying to fix it to give the Commission even more leverage. He stated that if there was an employee that needed to be disciplined they would do it. He asked why they would let a Commission behave that way and not be brought in range. He stated that if it was broken then they had something in place to fix it and they need to implement it and reel people back in.

Mayor Pro Tem stated that it concerned him to hear in Mr. Crowe's report that someone stated that they had their Council Member. He asked who is that. He asked if they had a Council Member that was working for them. He stated that Council was supposed to be working for the City and all City commissions. He stated that no one had one certain Council Member. He stated that they brought that up and told the City Attorney that and put it in a report. He stated they did not care anything about the organization of the City. Mayor Pro Tem Jenkins stated that he thought they had pushed the issue down the road long enough and the Museum Commission needed to be revamped.

Mayor Pro Tem Jenkins stated that he received a letter from a Museum Commissioner stating certain things and pointing to one person who happened to be a person of color. He stated that he was trying to locate an African American cemetery in the City and two (2) of the Commissioners promised to help him but he had yet to receive any help from them. He stated that he would like to have documentation for the issues Council Member Carter mentioned earlier. Mayor Pro Tem Jenkins stated that he had documentation related to the issues he mentioned.

Council Member Sox stated that he stated earlier in the meeting that there were some positives he took away from the investigation on the Museum Commission. He stated that by no means was that his only take away. He stated that he appreciated that item being put on the agenda and greatly appreciated staff's research into other municipalities appointment, reappointment and removal process. Council Member Sox stated that even though staff did not have any recommendations he felt it was important

that they hold themselves to a higher standard when appointing and reappointing citizens especially following the investigation's results. He stated that like Council Member Carter stated that the six (6) of the municipalities staff reached out to three (3) of them did background checks, three (3) had interview processes though one was a staff interview and two (2) discussed the applicants in Executive Session so they could discuss appointments before making them. He stated that the roles the Committees played were vitally important to the City and Council was trusting them with decisions that have great impact on the community. Council Member Sox stated he would like each applicant be interviewed whether that was all of Council or just two (2) members of Council. He stated that then the Council Members who interviewed the applicant/s could bring recommendations to discuss with the rest of Council in Executive Session and then could take it up for a vote after Executive Session. He stated especially considering multiple committees and boards were required by State law. He stated that this process would also create more accountability for Council to support diversity.

Council Member Sox stated that it was recently brought to his attention that Council was supposed to reach out to people in their districts to get them to apply to City boards. He stated that along with the fact that staff stated that they rarely had enough applicants to fill open positions and he felt that Council should hold themselves accountable. He stated that moving forward they should challenge themselves to build a larger talent pool. Council Member Sox stated that they needed to incorporate some sort of interview process to make sure that the applicants were appropriate. He stated that he wanted to meet someone and get to know them especially if they were going on a board that was State mandated.

Council Member James thanked Mr. Crowe for bringing forward the results of his investigation. He stated that after hearing the presentation he thought it made them all recognize they need to address many issues. He stated that making some people feel smaller or less than adequate and the aggression towards staff were not what a volunteer commission should be doing and certainly not in the unity of the City. He stated that Mr. Crowe's suggestions were things that Council needed to seriously take into consideration especially because they were coming from people who served and they would know best.

Council Member James stated that he agreed that Council needed to forward their ideas and suggestions to Mayor Partin so they could be discussed prior to the next Council Meeting. He stated that he spoke to Mayor Pro Tem Jenkins earlier that day and agreed with him that the process was not broken but they could all agree that they could learn from what was going on. He stated that he did not feel comfortable making any immediate changes until he reflected upon it and then he would send his recommendations to Mayor Partin along with asking the rest of Council to do the same thing.

Mayor Partin stated that the volunteer appointment process was on that night's agenda for discussion and if the majority of Council wants it to come back for action, that would be up to the majority of Council to say so. She stated that Mr. Crowe mentioned in his report a memo that Council Members Carter and James received from him in March that talks about how Council should not send their appointment process away and that a screening and selection process for applicants for any of the City's boards and commissions conflicted with the Council approval process set by City code.

Mayor Partin stated that she did not know why they were trying to create big government. She stated that she did not hear their citizens asking them to over complicate a simple process. She stated that she did not know why Council would want to make staff's jobs harder. She stated what bothered her even more was that the City's citizens applied in good faith and three (3) members of Council had played political games with them. She asked Council if they knew how many open positions the City currently had with no applications. Council Member Carter stated that sometimes it was hard to know because they were open for days and days before they even found out about it. Mayor Pro Tem Jenkins stated that he thought there were four (4) open positions on the Public Safety Foundation. Mayor Partin stated that the information on open positions was in the council packet. She stated that Standard Technical Codes Board of Appeals had three (3) open positions and one potential member application for it and the Public Safety Foundation had one (1) open position.

Mayor Partin stated that staff's report stated that most cities did not have a lot of people wanting to volunteer on committees. She stated that the City did not have an overabundance of people that wanted to be appointed to their boards and commissions. She stated that Council had signed up to lead the City which meant they had to do hard things. She stated that the City's appointment process was not a hard thing. She stated that they had citizens who wanted to give of themselves and what she saw was an attempt to make it harder for them and an attempt to make it more intimidating. Mayor Partin stated that every board and commission meeting was a public meeting. She stated that is why the meeting calendar was included in the quarterly newsletter every household received. She stated that they encouraged citizens to go to the meetings and that gave the boards more volunteers and a chance to know some potential members. She stated that the City had so many great people who were volunteering and giving of themselves in so many different ways for the City.

Mayor Partin stated that really only one (1) or two (2) committees were State required. She stated that committees like the Events Committee and the Beautification Foundation were supposed to be fun and a way for citizens to give back. She stated that she took offense to saying that the City's volunteers needed to be background checked when Council was not. Mayor Partin asked what were they saying when they said they needed to vet people. She asked vet them how, vet them for what. She stated that other cities might talk about these appointments in Executive Session but

she was not for that. She stated that she would rather be transparent. She stated that this was not complex tasks that Council had before them.

Mayor Partin stated that she knew Council Member Sox called a number of the people that were on the potential appointment list. She stated that it was not hard for Council to ask staff for that contact information. She stated that Council could call them, introduce themselves and get to know them. She stated that was a great way to create a welcome without creating a barrier and intimidating people who might want to volunteer with the City. Mayor Partin stated that if they did have problems they had a mechanism to remove committee members. She stated that three (3) members of Council did not use that option recently on a very egregious matter. She asked why they were going to make it harder for people that wanted to get involved.

Council Member Sox stated that Council was vetted by the voters and no one was trying to politicize the issue at all. He stated that the issues they were currently facing were a direct reflection of how the candidates were appointed in the first place. He stated that there was no need to continue to dismiss any sort of change especially considering that two (2) of them that Council put on were sexual predators and one was a racist that was appointed. He made a motion that Council have a workshop around these processes before taking anything to a vote. Mayor Partin asked Council Member Sox to please tell them about the sexual predators that he was referring to. Council Member Sox stated that he was making a comment to Council Member Carter's statement that two people were appointed that were on federal registries. He stated that it was appalling that that happened and it sounded like that was within the past 6 to 10 years. He stated what was currently going on was a direct reflection in how they were appointed and reappointed in the first place. He stated that there was no need to continue to dismiss that change.

Mayor Partin stated that Council Member Sox's statement regarding sexual predators being appointed to City committees was a false accusation. She asked Council Member Sox to elaborate on what he meant when he stated that what was currently going on was a direct reflection in how people were appointed and reappointed in the first place. Council Member Sox stated that the man that Council just had an investigation on was reappointed four (4) or five (5) times. He stated that he did not understand how anyone could say they did not need to further vet someone. He stated that the results of the investigation were a cry for more vetting. Mayor Partin asked if the person he was referring to was the person he called family. Council Member Sox stated that he was a family friend. He stated Marion Hutson being a family friend had nothing to do with anything that he was talking about. He stated that all he was worried about was the future of Cayce in 15 or 20 years when none of them were there and there was no process in place and they were wondering how they got where they were. He stated he believed that would be because they did not act and have an interview process and get to know applicants a little better and have them know what they were getting involved in before Council appointed them. Council Member Sox stated that he

would like to make a motion that Council have a workshop around process on the committees, commissions and boards.

Mayor Partin asked what vetting would have found out what happened recently and was properly reported. Council Member Sox stated that if you talked to someone you would get to know them a little better and any sort of background check was a great idea. He stated that it was important if they were going to appoint people to boards, committees and commissions, especially some that are State mandated, that Council know them and were confident in their vote by doing the interview. He stated that it added a level to the appointment process that the City was lacking. He stated that he thought this was the conversation Council should have in a work session.

Mayor Partin stated that she found it intriguing that Council Member Sox thought that kind of thing would have come out in conversation. She stated that she informed Council on what was going to be on the agenda based on the employee's statement that was properly reported and one Council Member's response to her was that he was not surprised and he stated that he just did not know who to say that to. She stated that she disagreed that vetting would have figured out what was going on. Mayor Partin stated that as she had said before if the majority of Council wanted there to be action on the next agenda to let her know. She stated that in reference to Council Member Sox's motion the item was on the agenda only for discussion, not action. Council Member Sox thanked Mayor Partin and stated that he would reach out.

Committee Matters

A. Appointments

Beautification Foundation – One (1) Position

Museum Commission – One (1) Position

Planning Commission – One (1) Position

Standard Technical Codes Board of Appeals – One (1) Position

Council Member Sox made a motion to appoint Ms. Kelly Wuest to the Beautification Foundation, Ms. Marcy Link Hayden to the Museum Commission, Mr. Richard Boiteau to the Planning Commission and Mr. Travis Basnett to the Standard Technical Codes Board of Appeals. Council Member Carter seconded the motion. Council Member Sox stated that he reached out to the majority of the applicants and he did go through the proper process that he thinks needs to be in place by Council to reach out and interview each applicant before making a vote which was why he felt comfortable seating these appointees without this process being in place. Mayor Pro Tem Jenkins stated that he was glad to see that Council was appointing good appointees to these committees and he appreciated Council Member Sox making the motion. Mayor Partin called the question which was unanimously approved by roll call vote.

Mayor Partin stated that she needed to ask Council for clarification on an item for staff. She stated that in March Council Member Carter and Council Member James directed staff that the other application for the Museum Commission would not be put on the Commission therefore his application was not included in the November 17, 2021, Council Meeting when Marcy Hayden's was. She stated there was a reason discussed by staff and the City Attorney in Executive Session that led them to say he would not be put on the Commission. Mayor Partin stated that Council Members Carter, James and Sox voted on November 17, 2021, to postpone Ms. Hayden's appointment because of another application. She asked what staff was supposed to do with that application moving forward.

Council Member Carter stated that his recommendation would be that the application remain on file until Council decided on a written procedures and protocol methodology if older existing applications were to remain on file. Council Member Carter stated that he and Mayor Partin had a conversation several months ago and decided the application would stay on file. Council Member James stated that he believed maintaining consistency with where they were now that all applications remained on file. He stated that he thought Council Member Carter was asking that Council make that part of their review as they move forward. Mayor Partin thanked them for that clarification for staff. She stated that Council Member James stated that he conveyed to that applicant that he was not going to be considered. Council Member James stated that Mayor Partin was correct that he did convey that. Mayor Partin stated that it was very confusing for staff to go back on that. Council Member James stated that Mayor Partin stated that he conveyed to that applicant that he would not be appointed and he was not appointed. Mayor Partin stated that was not what he told them and he knew what was shared in Executive Session so she was not really sure what would change. Council Member James stated that he was of the impression that it remained on file however they did not appoint the person at that time. Mayor Partin stated that was different than what Council Member James told staff in the past.

City Manager's Report

Ms. Hegler stated that she did not have anything to report at that time.

Council Comments

Mayor Pro Tem Jenkins stated that he needed clarification and asked how long the application would stay on file especially in that situation as to why he was not appointed the first time. He stated that if he was not appointed the first time for something that was done then he asked why they would keep the application on file. He asked if anything was going to make it different the next time so why would they keep in on file. He stated that if an employee did something like that you would not do that. Mayor Pro Tem Jenkins stated that this person could come back in the future and ask to be appointed. He stated that if it was bad enough to not put the application on

file then that part of the record needed to be put back so it would not come back up. Mayor Pro Tem Jenkins stated that if the person did something and Council stated that he would not be appointed then why would the application be kept on file. Mayor Partin stated that she found it interesting that the people who were asking for vetting knew why they did not appoint. She stated what was the point of vetting if there was no follow through.

Executive Session

- A. Receipt of legal advice relating to claims and potential claims by and against the City and other matters covered by the attorney-client privilege

There were not any items to discuss in Executive Session.

Adjourn

Mayor Pro Tem Jenkins made a motion to adjourn the meeting. Council Member James seconded the motion which was unanimously approved by roll call vote. There being no further business, the meeting adjourned at 7:48 p.m.

Elise Partin, Mayor

ATTEST:

Mendy Corder, CMC, Municipal Clerk