



Mayor  
Elise Partin

Mayor Pro-Tem  
James E. Jenkins

Council Members  
Phil Carter  
Tim James  
Hunter Sox

City Manager  
Tracy Hegler

Deputy City Manager  
Jim Crosland  
Assistant City Manager  
Michael Conley

**City of Cayce  
Regular Council Meeting  
Tuesday, August 2, 2022**

The August Regular Council Meeting was held this evening at 6:00 p.m. in Council Chambers. Those present included Mayor Elise Partin, Mayor Pro Tem James Jenkins and Council Members Phil Carter and Tim James. City Manager Tracy Hegler, Deputy City Manager Jim Crosland, Assistant City Manager Michael Conley, Municipal Clerk Mendy Corder, Finance Director Kelly McMullen, Human Resources Director Lynn Dooley, IT Director Jamie Beckham 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 Mayor Pro Tem Jenkins gave the invocation. Mayor Partin led the assembly in the Pledge of Allegiance.

**Approval of Minutes**

Council Member Carter made a motion to approve the July 5, 2022 Regular Council Meeting and the July 20, 2022 Regular Council Meeting minutes as written. Mayor Pro Tem Jenkins seconded the motion which was unanimously approved by roll call vote.

**Public Comment Regarding Items on the Agenda**

No one signed up for Public Comment.

**Ordinances**

- A. Discussion and Approval of Ordinance 2022-12 Annexing Properties Located Adjacent to 1244 Boston Avenue (TMS#005699-03-035) and Adjacent to 1252 Boston Avenue (TMS#005699-03-036) into the City Limits Under the Provisions of South Carolina Code Section 5-3-150(3) – First Reading

Ms. Hegler stated that the two (2) properties were small parcels that were probably overlooked when the larger adjacent parcels were annexed in 2004. She stated that the applicant was in the process of trying to sell the property and noticed through their deed research that these two (2) small pieces were not, in fact, incorporated into the City so they were requesting that they be annexed. She stated that at the same time, staff recommended a zoning designation for the property. She

stated that the properties were located in the (CBR) commercial business retail area of the City's future land use map and the objective of the CBR classification was to concentrate business and retail establishments for cumulative drawn areas central and accessible to the community at large. Ms. Hegler stated that compatible zoning districts were C1, C2, C3 and C4 and the subject properties were adjacent to C1 and C4 properties. She stated that the request was in compliance with the City's Comprehensive Plan. She stated that the Planning Commission did meet on this item the month prior and they voted unanimously to recommend approval of the annexation of these two properties in conjunction with a C4 and C3 zoning designation.

Council Member James made a motion to approve Ordinance 2022-12 on First Reading. Mayor Pro Tem Jenkins seconded the motion which was unanimously approved by roll call vote.

**B. Discussion and Approval of Ordinance 2022-13 Amending the Zoning Map and Rezoning Property Located at *Unnumbered* Fish Hatchery Road and Further Identified as Tax Map Number 006896-02-035 – First Reading**

Ms. Hegler stated that the subject property was located near the Carolina Wings on Fish Hatchery Road and was part of a 21.92-acre PDD that was approved in 2007. She stated that a PDD required a mix of uses on the parcel and the PDD was never completed for a variety of reasons and the properties were subsequently divided into three (3) parcels. She stated that failure to approve it or to finish and complete the approved PDD and the division of the property made the mix of uses invalid. She stated that the appropriate zoning needed to be applied to these parcels. Ms. Hegler stated that while the requested rezoning from the applicant was not in compliance with the Comprehensive Plan's future land use map, the new plan did give the Planning Commission the option to consider requests that were not in compliance by looking at the character surrounding it and the current needs for that area.

Ms. Hegler stated that the RG1 general residential zoning classification that was being requested, was intended to promote and accommodate residential development consisting of a variety of housing styles, types and densities. She stated that staff and the Planning Commission were of the opinion that the RG1 zoning classification would be compatible with the surrounding area. She stated that the Planning Commission did vote by majority vote, three to one, to recommend Council approve the rezoning from PDD mixed use to RG1.

Council Member Carter made a motion to approve Ordinance 2022-13 on First Reading. Council Member James seconded the motion which was unanimously approved by roll call vote.

**Items for Discussion and Possible Approval**

A. Discussion and Approval of a Letter of Commitment and Matching Funds Identification in Support of a South Carolina Infrastructure Investment Plan Grant Application from the City of Cayce to the Rural Infrastructure Authority

Ms. Hegler stated that the City had long been working to address drainage issues in the Avenues and had a study commissioned to convey how to do that. She stated that some of those projects were currently underway. She stated that the City had also promised to seek funding from Federal and State ARPA dollars to address some of the large projects. She stated that was what was before Council that night. She stated that staff was going after a South Carolina Infrastructure Investment Plan Grant that was being funneled through the Rural Infrastructure Authority, which was a group the City knew well and often did great work with. Ms. Hegler stated that they were asking for letters of commitments from municipalities that wish to apply for their funding sources.

Ms. Hegler stated that staff would like to go after some of the projects within the City's drainage study to complete some of the work or further some of the work that was already underway. She stated that the City had a commitment from the DOT to share 25% in project costs related to drainage improvements in the Avenues and that was on a project-by-project basis. She stated that staff assumed DOT would come to the table for this proposed project as well, which would represent the local match that was required by this granting source. She stated that was what the letter of commitment suggested. She stated that if, however, that fell through, the City would be required to match 15% of the project and staff recommended using APA funding for that.

Ms. Hegler stated that staff and Council had discussed taking the ARPA funding that the City was allocated and attempt to leverage it against State and Federal dollars so more could be done with that money. She stated that the City could do so much with the ARPA funds that the City would not have to put additional funding into it if the DOT continued to participate with the City. She stated that what was before Council was the letter of commitment that was required by the Rural Infrastructure Authority to accompany the City's grant application as well as the funding source identification for the City's local match. Ms. Hegler stated that staff might go after other projects if possible within this funding stream so she may be bringing other letters of commitments to Council. She stated that staff had this one ready and wanted to go ahead and get it underway as they worked on the application.

Council Member James made a motion to approve the letter of commitment and matching funds identification. Mayor Pro Tem Jenkins seconded the motion. Council Member James stated that Ms. Hegler was probably being modest as she normally was about all the work that goes into something like this and the fact that the City was stretching these dollars to make things happen and looking at how the City could match to multiply money. He thanked staff. Mayor Partin called the question which was unanimously approved by roll call vote.

**B. Discussion and Approval of a Contract for General Contracting Services for the Six Mile Creek Sewer Interceptor Repair and Spending Approval**

Ms. Hegler stated that this item was discussed at the last Council Meeting. She stated that it was the sewer line replacement project that needed to be done outside of the Moss Creek subdivision on Charleston Highway. She stated that it was a really large project and at the last Council Meeting Council approved a contract to line a portion of that system that had not failed yet, but that would be preventative maintenance. She stated that at the last Council Meeting she mentioned that staff was still working on what it would take to repair or replace the collapsed line. She stated that was now currently before Council. She stated that Council did approve \$300,000 in funding from ARPA funds in the current fiscal year when they adopted the fiscal year budget. She stated that staff knew it might be more than that and had those estimates for Council to consider that night.

Ms. Hegler stated that the total cost of the project to repair and replace the crushed line was \$598,712. She stated that staff was asking Council to consider sole sourcing this work to GH Smith Construction, Inc. She stated that based on the availability and limited number of contractors with the materials necessary to perform the work as expeditiously as possible, allowing for very few service interruptions, it was best to sole source the project. She stated that staff immediately went in after the break and put in a bypass line therefore it was functioning and moving wastewater. Ms. Hegler stated that staff wanted to get the bypass out of the neighborhood and a new line in place and this would allow that to happen. She stated that Council did have the authority to waive their normal procurement process based on the convenient source of materials and based on supply chain issues. She stated that the City had worked with this company before and they immediately started seeking out the concrete that would be needed and the materials to get this work done. Ms. Hegler stated that staff recommended Council accept the bid from GH Smith Construction, waive the formal and informal bid process to sole source the work to them, authorize the City Manager to execute the appropriate paperwork and that staff use reserve utility funding not to exceed \$300,000 to supplement the \$300,000 that was already approved.

Council Member James made a motion to accept the bid from GH Smith Construction, waive the formal and informal bid process to sole source the work to them, authorize the City Manager to execute the appropriate paperwork and that staff use reserve utility funding not to exceed \$300,000 to supplement the \$300,000 that was already approved. Mayor Pro Tem Jenkins seconded the motion. Council Member James thanked Ms. Hegler for always going through the procurement procedures and process and stated that the City never wavered from that. He stated that understanding post COVID, staff was really faced with some things that they never were before. He stated that Council had the right to be able to alter from the procurement process and he was happy to do it in this situation.

Mayor Partin called the question which was unanimously approved by roll call vote.

### **Committee Matters**

- A. Approval to Enter the following Committee approved Minutes into the City's Record
  - Museum Commission – June 1, 2022
  - Events Committee – June 9, 2022
  - Planning Commission – June 13, 2022

Mayor Pro Tem Jenkins made a motion to accept the Committee approved minutes into the record. Council Member James seconded the motion which was unanimously approved by roll call vote.

- B. Discussion and Approval of Proposed Amendments to the Cayce Events Committee By-Laws

Ms. Hegler stated that the City Attorney found an additional item in the By-Laws that he would like staff to discuss with the Events Committee. She asked that the approval of the proposed amended by-laws be postponed until the Events Committee met again to discuss this item.

Council Member Carter made a motion to postpone this item until the next Council Meeting after the Events Committee meets. Council Member James seconded the motion which was unanimously approved by roll call vote.

- C. Appointments and Reappointments
  - Beautification Foundation – One (1) Position
  - Public Safety Foundation – One (1) Position

Council Member Carter made a motion to appoint Mr. Alex Bybee to the Cayce Beautification Foundation. Council Member James seconded the motion which was unanimously approved by roll call vote.

Council Member James made a motion to appoint Dr. Colette Townsend-Chambers to the Cayce Public Safety Foundation. Council Member Carter seconded the motion. Mayor Pro Tem Jenkins stated that he had some concerns about Dr. Townsend-Chambers. He stated that Council wanted everyone to be able to serve on City committees however a few months ago, Dr. Townsend-Chambers really drug the Police Department through the media and every way one could imagine. He stated that he was concerned if Dr. Townsend-Chambers was trying to amend the actions she took before or did she want to serve on the Foundation to repeat the harassment with the Police Department. Mayor Pro Tem Jenkins stated that Council had the authority to

remove people from City committees but sometimes it was easier to not put someone on a committee than it was to remove them. He stated that it was a bitter pill as to what the Cayce Police Department was put through but if that was in the past, then he would vote yes to the appointment. Council Member James stated that he wanted to commend Mayor Pro Tem Jenkins for being transparent like he always was and holding that discussion in an open forum. He stated that he understood Mayor Pro Tem Jenkins' comments and understand them and embraced them. Council Member James stated that Council should always be mindful that they have the right to remove anyone if needed. Mayor Partin called the question which was unanimously approved by roll call vote.

### **City Manager's Report**

Ms. Hegler stated that she had a couple of staff compliments from a frequent user of the City's Riverwalk. She read "I just want you to know that Wesley and Eric are doing a really great job. The restrooms are very clean. The grass is cut and edged, the park trails kept blown and clean and both of them are very courteous and helpful to visitors." She stated that Mayor Partin received a text that said "last week my trash was too heavy for me to get in my container. The recycling truck had just gone by and one of your workers saw me struggling, came back and put it in the container for me. I just wanted you to know how much that was appreciated." Ms. Hegler stated that a commendation along with a handwritten note to Lieutenant McCord and the Police Department read "I met Lieutenant McCord in 2006 while going through a domestic violence case. She along with the Cayce PD had been an absolute Godsend as she helped me with so many resources for my kids and myself. She tried to get me out of a bad situation. She said she learned her lesson eventually. But she never left her side. If I needed to talk to someone, she made herself available. She's the reason my kids grew to respect law enforcement. She's beyond a law enforcement officer. She's anyone I would consider a friend, my kids from the ages of four until they're now 20, 21 have always looked up to her, even to the point of being trying to find her at all events that they attend. All around Lieutenant McCord is an extraordinary person and exceptional law enforcement officer." Ms. Hegler stated that she loved sharing staff compliments with Council.

### **Council Comments**

Council Member Carter stated that he noticed in the minutes of the June 13, 2022 Planning Commission meeting, when the F Avenue situation was discussed, there was a full complement of commissioners present and apparently a room full of people attended the meeting. He stated that he noticed that on the vote on the matter before Council that night the Planning Commission voted three to one. He stated that he hoped that staff continued to reinforce the attendance policy for all City Committees, and Commissions and Boards and Foundations. Council Member Carter stated that it

was disappointing that the Commission was one flat tire away from not having a quorum there. He stated that it was important to the people submitting these applications that the matters be disposed of.

### **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

Mayor Pro Tem Jenkins made a motion to enter into Executive Session. Council Member James seconded the motion which was unanimously approved by roll call vote.

### **Reconvene**

After the Executive Session was concluded, Council Member James made a motion to reconvene the Regular meeting. Mayor Pro Tem Jenkins seconded the motion which was unanimously approved by roll call vote.

Mayor Partin announced that no vote was taken in Executive Session other than to adjourn and resume the Regular meeting.

### **Adjourn**

Council Member James made a motion to adjourn the meeting. Council Member Carter seconded the motion which was unanimously approved by roll call vote. There being no further business, the meeting adjourned at 7:54 p.m.

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Elise Partin, Mayor

ATTEST:

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Mendy Corder, CMC, Municipal Clerk

**IF YOU WOULD LIKE TO SPEAK ON A MATTER APPEARING ON THE MEETING AGENDA, PLEASE COMPLETE THE INFORMATION BELOW PRIOR TO THE START OF THE MEETING.\* *THANK YOU.***

## **COUNCIL MEETING SPEAKERS' LIST**

**Date of Meeting     August 2, 2022**

<b>Name</b>	<b>Address</b>	<b>Agenda Item</b>

**\*Appearance of citizens at Council meetings - City of Cayce Code of Ordinances, Sec. 2-71.** Any citizen of the municipality may speak at a regular meeting of the council on a matter pertaining to municipal services and operation, with the exception of personnel matters, by notifying the office of the city manager at least five working days prior to the meeting and stating the subject and purpose for speaking. Additionally, during the **public comment period** as specified on the agenda of a regular meeting of the council, a member of the public may speak on a matter appearing on the meeting agenda, with the exception of personnel matters by signing a speakers list maintained by the city clerk prior to the start of the public comment period. The number of speakers at a council meeting may be limited in the discretion of the mayor or presiding officer, the length of time for any speaker's presentation is limited to a maximum of five minutes, and a presentation may be curtailed if determined to be uncivil, contentious, or disruptive in the discretion of the mayor or presiding officer or by majority of vote of council.