



CITY OF CAYCE

MAYOR
ELISE PARTIN

MAYOR PRO-TEM
JAMES E. JENKINS

COUNCIL MEMBERS
TARA S. ALMOND
PHIL CARTER
EVA CORLEY

CITY MANAGER
REBECCA VANCE

ASSISTANT CITY MANAGER
SHAUN M. GREENWOOD

CITY OF CAYCE Regular Council Meeting November 17, 2016

The November Special Council Meeting was held this evening at 5:00 p.m. in Council Chambers. Those present included Mayor Elise Partin, Council Members Tara Almond, Phil Carter, Eva Corley and James Jenkins. City Manager Rebecca Vance, Assistant City Manager Shaun Greenwood, Municipal Clerk Mendy Corder, Municipal Treasurer Garry Huddle and Director of Public Safety Byron Snellgrove were also in attendance.

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

Call to Order

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

Approval of Minutes

Council Member Almond made a motion to approve the October 19, 2016 Regular Council Meeting minutes and the November 1, 2016 Regular Council Meeting minutes as written. Council Member Corley seconded the motion.

Public Comment Regarding Items on the Agenda

Mayor Partin stated that the "Public Comment on Items on the Agenda" section of the Council Meeting provides an opportunity to members of the public to present to Council their observations or concerns or comments on a particular subject or subjects as provided in the City Code. She stated that this portion of the meeting is not a question/answer period between the speaker and the Council or the speaker and City staff. She explained that members of the Council or the City staff members may not have the answers to questions or the responses to inquiries at their fingertips. Additionally, there may be more information that would need to be obtained before Council can respond in any meaningful way. She stated that she and Council were interested in what any citizen has to say and appreciate all input. She stated that public comment does help guide Council as they make decisions throughout the meeting.

Ms. Lynn Reinke appeared before Council to discuss Item IV. A. Her comments are attached.

Mr. Hank Nickerson appeared before Council to discuss Item IV. B. He stated that he had thought about the requested rezoning since the Planning Commission meeting and no longer had any issues with it.

Mr. Tem Miles appeared before Council to discuss Item IV. A. He stated that he was speaking on behalf of Mr. Mike Hughes. Mr. Hughes requested rezoning property located at 1213 State Street from C-1 to C-3. Mr. Miles stated that the Planning Commission voted unanimously to approve the rezoning. He stated that the C-3 zoning is intended to facilitate wall to wall development along the State Street and Knox Abbott Drive corridors. He stated that the only properties not zoned C-3 on State Street are 1213 State Street and its neighboring properties.

Mr. Miles stated that there was not a rational reason to treat 1213 State Street differently than the other properties zoned C-3 on State Street. He stated that the C-3 zoning was in line with Council's and staff's long term plans for State Street. He stated that the other owners of the neighboring properties did not attend the Planning Commission to voice any objections they might have nor did they attend the Council Meetings to voice any concerns.

Mr. Miles stated that the C-3 zoning designation is only applicable for the Knox Abbott Drive and State Street areas. C-3 zoning is for a central commercial area. He stated that Council and staff recognizes that these areas are the center of the City and will one day be the downtown Main Street area of the City. C-3 zoning is for a more densely populated commercial environment which is what Mr. Hughes is trying to achieve with his rezoning request.

Mr. Miles asked on Mr. Hughes behalf that Council uphold the Planning Commission's unanimous decision to approve the rezoning request. Mr. Miles stated that as a representative of the City of West Columbia he was requesting that Council uphold the Planning Commission's vote. He stated that the City of West Columbia has made a lot of efforts to improve the State Street corridor which is a shared corridor between both Cities. He stated that West Columbia has worked to give State Street a business and pedestrian friendly feel.

Ms. Margie Johnson appeared before Council to discuss Item IV. B. She stated that she was with the Columbia Wilbert Vault Company and was requesting that Council approve the Planning Commission's unanimous decision to rezone 1741 Airport Blvd from RS-2 to M-1. She stated that she did not understand how the property was currently zoned residential since Wilbert Vault had been manufacturing there since 1940. She stated that her Grandparent's house was originally on the property and thought that might be why it was mistakenly zoned residential.

Proclamation

A. Approval of Proclamation – Arbor Day

Council Member Jenkins made a motion to approve the Proclamation proclaiming December 2, 2016 Arbor Day in the City of Cayce. Council Member Corley seconded the motion which was unanimously approved by roll call vote. Mayor Partin stated that the City was planting a new tree in Granby Gardens Park to commemorate the date.

Ordinances and Resolutions

A. Discussion and Approval of Ordinance 2016-17 Amending Zoning Map and Rezoning property Located at 1213 State Street Tax Map Number 004652-04-002 from C-1 to C-3 – Second Reading

Council Member Almond made a motion to approve second reading of Ordinance 2016-17 to re-zone 1213 State Street (TMS# 004652-04-002) from C-1 (Office and Institutional) to C-3 (Central Commercial). Council Member Corley seconded the motion.

Council Member Almond stated that she appreciated that Ms. Reinke and Mr. Hughes were able to come together to discuss the issue. She stated that after their meeting Ms. Reinke still feels that the C-3 zoning will adversely affect her property. Mr. Hughes still feels that sufficient buffers exist to protect Mr. Reinke's property and anything that he proposes for the site will be for the betterment of State Street and help in establishing a Main Street feel.

Council Member Almond stated that these issues are never easy for Council. She stated that ultimately one side is going to feel slighted. She stated that no one on Council takes these matters lightly. She stated that Council does their homework and researches the matter. She stated that Council takes staff's recommendations and put faith in the Planning Commission. Council Member Almond stated that Council only wants what is best for the City and their decisions are never personal.

Ms. Vance stated that Ms. Moore who lives at 403 Deliesseline contacted City staff that day and expressed concern about 1213 State Street being rezoned C-3. She was concerned that she would not be able to get off work in time to sign up for Public Comment and asked Ms. Vance to express her concerns about the wider variety of uses for C-3 zoning to Council and that she was asking Council to deny the request for rezoning.

Mayor Partin asked Mr. Greenwood to clarify the zoning issues for the neighboring properties. Mr. Greenwood stated that in 2011 when he first started working for the City he and staff found a lot of discrepancies on the City's zoning map. He stated that Ms. Monique Ocean recently found a zoning map that pre-dates most of the maps that staff has and the map shows several of the properties on Honeysuckle Street as residential. He stated that staff does not have any record of a rezoning so staff has to assume that when State Street was being rezoned those properties were erroneously added in as residential. He stated that the oldest map lists the property as residential and staff has no record of a rezoning request to change the properties to commercial, therefore staff will administratively fix the map to change the properties to residential zoning. He stated that Ms. Ocean found the map that day.

Mayor Partin stated that one of the concerns with the rezoning was that three buildings could be put on the property but she stated that technically that could be done now with its current zoning. Mr. Greenwood confirmed that technically that was true. He stated that a C-1 district total lot area required is only 6,000 square feet and the lot only has to be fifty feet wide. He stated that means the lot has to be fifty feet wide at the road frontage. Therefore Mr. Hughes could sub-divide the property into three separate parcels with its current zoning and place three buildings on it.

Ms. Corder called the question and the motion was unanimously approved by roll call vote.

- B. Discussion and Approval of Ordinance 2016-18 Amending Zoning Map and Rezoning Property Located at 1741 Airport Blvd Tax Map Numbers 5743-01-001, 005743-01-002 and 005743-01-013 (P) from RS-2 to M-1 – First Reading

The applicant wishes to rezone the properties listed above from RS-2 (Single Family Residential) to M-1 (Light Industrial). The RS-2 zoning classification is mainly for land used for single-family dwellings and their accessory uses. Whereas, M-1 is intended to accommodate wholesaling, light industry, office and related business uses.

The Columbia Wilbert Vault Company has been located on the properties for many years and the current zoning (RS-2) makes the existing use of miscellaneous manufacturing a nonconformity. Zoning regulations limit the expansion or modification of a non-conforming use. The applicant was denied a zoning permit to start an expansion to the existing business because of the residential zoning designation. The applicant would like to re-zone the properties in order for the zoning to fit the current business and any future expansion.

The rezoning request is over 4 acres in size and consists of two parcels and a portion of a third. The subject properties are contiguous to residential and light manufacturing zoned districts. The request complies with the Zoning Ordinance and the Future Land Use Plan.

The Planning Commission considered the request for re-zoning at a special called meeting on November 14, 2016. The re-zoning request was opened for public comment. Five members of the public signed up to speak or ask questions about the potential rezoning. They voiced concerns regarding current traffic from trucks belonging to the Wilbert Vault Company being dangerous to the neighborhood, the present condition of Rosemary Street between Airport Boulevard and Fairlawn Circle being terrible due to the large trucks, and the possibility of additional traffic, if the property was granted the rezoning, being a problem. The Planning Commission unanimously recommends City Council approve the requested rezoning.

Council Member Almond made a motion to refer the rezoning request back to the Planning Commission for further consideration. Council Member Carter seconded the motion which was unanimously approved by roll call vote.

Council Member Almond stated that the residents that neighbor 1741 Airport Blvd expressed concerns to the Planning Commission about the possible increase to traffic in the area if the property is rezoned. She stated that further study is needed to determine the traffic impact and to clarify the issue before Council votes on first reading of the rezoning. Mayor Partin stated that Council Member Almond's motion did not have anything to do with the long standing great business that is on the property. She stated that when a property is rezoned one has to consider the future use of the property and what impact trucks can have on a residential area.

C. Discussion and Approval of Ordinance 2016-19 Amending Zoning Map and Rezoning Property Located at 613 Knox Abbott Drive Tax Map Numbers 004649-01-001 and 004649-01-013 from C-3 to DAD

Council Member Corley made a motion to approve the rezoning on first reading. Council Member Almond seconded the motion which was unanimously approved by roll call vote.

Ms. Vance stated that the property is currently the location of the Motel 6 and has been purchased by Lexington County School District 2. With successful rezoning, the property will be added to Brookland Cayce High School's existing Development Agreement District. The School District intends to use the site for an additional sporting events facility. The property is contiguous to Brookland Cayce High School's DAD and C-3 zoning districts. The requested zoning is in compliance with the Zoning Ordinance

and the Future Land Use Plan. Ms. Vance stated that once the property is rezoned the DAD (Development Agreement District) will have to be amended which will require two readings from Council.

- D. Discussion and Approval of Ordinance 2016-20 Approving the Financing of Water System Improvements Through the Borrowing of Not Exceeding Twenty Five Million Dollars (\$25,000,000), Plus Capitalized Interest, If Any, From the State Drinking Water Revolving Loan Fund, By Agreement with South Carolina Water Quality Revolving Fund Authority, Pursuant to Title 48, Chapter 5, Code of Laws of South Carolina 1976, As Amended; Providing for the Agreement to Make and Accept a Loan, the Execution And Delivery of a Loan Agreement between the City of Cayce, South Carolina and the South Carolina water Quality Revolving Fund Authority, The Execution and Delivery of A Promissory Note from the City of Cayce, South Carolina to the South Carolina Water Quality Revolving Fund Authority, and Other Matters Relating Thereto – First Reading

Ms. Vance asked Council to amend the agenda item to change the amount to be borrowed from twenty five million to twenty six million. She stated that staff has received the bids for this project and the bids exceed the original estimates. She stated that the City may have to borrow additional money to fund the project.

Council Member Almond made a motion to amend the agenda item amount to twenty six million and approve the Ordinance on first reading. Council Member Corley seconded the motion. Council Member Jenkins asked how difficult it would be to request additional funding once the project begins and staff realizes more money is needed. Ms. Vance stated that the funding agency directed staff to request twenty six million dollars and is not able to go any higher. She stated that the original cost of the project was \$23.5 million so staff hopes that twenty six millions dollars will fund the entire project.

Council Member Carter asked if twenty six million dollars would be enough funding if the cost overrun. Ms. Vance stated that staff will have to make the project work with that amount so the contracts with the various contractors may have to be altered with options for reducing costs if there are overruns.

- E. Discussion and Approval of Resolution Approving Multijurisdictional Alcohol Enforcement Agreement

Council Member Almond made a motion to approve the resolution approving the multijurisdictional agreement. Council Member Corley seconded the agreement which was unanimously approved by roll call vote.

F. Discussion and Approval of Resolution Authorizing a Condemnation Action For a Water Line Easement for Property Located at 1500 Benedict Street

Ms. Vance stated that Council approved the condemnations at the November 1, 2016 Council Meeting and this easement had the incorrect address. It was originally listed as 1499 Benedict Street therefore the resolution has to be corrected.

Council Member Carter made a motion to approve the corrected resolution. Council Member Jenkins seconded the motion which was unanimously approved by roll call vote.

City Manager's Report

Ms. Vance stated that the installation of street lights is complete on 12th Street from Godley Street to Frink Street. She stated that staff and Council will need to discuss lighting options for the area from Frink Street to 12th Street since it is more residential. She stated that Lexington County is working on a lighting agreement with SCANA for installing lights at the Interstate 77 over pass to County Industrial Park.

Ms. Vance stated that staff received an email from the Lexington County CDBG department stating that the City is eligible to submit a mid-year application for a project for the Cayce Grammar School site. She stated that staff has been working with the County for four years to make the Grammar School project an eligible project. She commended Ms. Rachelle Moody for submitting a grant application that fit into the County's criteria.

Ms. Vance stated that Hospitality Tax Fund applications are due November 18, 2016 and will come before Council at the January Council Meeting. She stated that the Riverland Drive DOT sidewalk project has started and DOT is in the process of staking where the sidewalk will be installed. She stated that staff has already received a call from a resident who planted shrubbery in the DOT right-of-way and is displeased that it will have to be removed for the project.

Ms. Vance stated that the City's Christmas in Cayce events start in December. The Tree Lighting ceremony is December 1 at City Hall. The Carols Along the Riverwalk is December 2, the Museum Christmas Traditions events are December 3 and the Holiday Parade of Lights is December 10.

Committee Matters

A. Approval to Enter the Following Approved Committee Minutes into the City's

Official Record

Council Member Corley made a motion to approve entering the following Committee minutes into the City's official record:

Cayce Housing Authority – August 16, 2016
Museum Commission – October 5, 2016
Planning Commission – October 17, 2016

Council Member Jenkins seconded the motion which was unanimously approved by roll call vote.

B. Appointments and Reappointments

Mayor Partin stated that there is currently one open position on the Beautification Foundation. The City has received a potential member application from Mr. Harry Ott. Council Member Almond made a motion to appoint Mr. Ott to the Beautification Foundation. Council Member Almond seconded the motion which was unanimously approved by roll call vote.

Mayor Partin stated that Mr. Bruce Smith's term has expired on the Cayce Housing Authority. He has served on the Authority since 2010 and consistently attends all meetings. Mr. Smith would like to serve again and the Authority recommends him for reappointment. Council Member Jenkins made a motion to reappoint Mr. Smith to the Cayce Housing Authority. Council Member Carter seconded the motion which was unanimously approved by roll call vote.

Mayor Partin stated that Ms. Ann Diamond's term has expired on the Museum Commission and she would like to serve again. Ms. Diamond has served on the Commission since 1987 (29 years) and the Commission recommends her for reappointment. Council Member Almond made a motion to reappoint Ms. Diamond to the Museum Commission. Council Member Carter seconded the motion which was unanimously approved by roll call vote.

Mayor Partin stated that Ms. Cindy Peake's term has expired on the Museum Commission and she would like to serve again. She has served on the Commission since 2008, consistently attends meetings and the Commission recommends her for reappointment. Council Member Carter made a motion to reappoint Ms. Peake to the Museum Commission. Council Member Jenkins seconded the motion which was unanimously approved by roll call vote.

Council Member Corley stated that every committee member being reappointed has lived in the City of Cayce for at least forty years. She stated that she thought it was amazing how supportive the City's residents are. Mayor Partin stated that having such a stable population is one of the many things that makes the City such a great place to live. She stated that 60% of the City's residents have lived in the City for twenty or more years. She stated that all the hard work Council has done in improving the City's parks, putting Little Free Libraries throughout the City and working with the School District to help them realize their goals will help keep the next generation in the City.

Mayor Partin stated that the City currently has opening on the Boards and Committees below.

ACCOMMODATIONS TAX COMMITTEE – THREE (3) POSITIONS

Two positions must be filled by someone from the motel industry in Cayce. One position must be filled by someone from the restaurant industry in Cayce.

BEAUTIFICATION BOARD – THREE (3) POSITIONS

BEAUTIFICATION FOUNDATION – ONE (1) POSITION

CAYCE HOUSING AUTHORITY – ONE (1) POSITION

CAYCE MUNICIPAL ELECTION COMMISSION – TWO (2) POSITIONS

CONSOLIDATED BOARD OF APPEALS – TWO (2) POSITIONS

Members who serve on this Board must be either an Engineer, Contractor, Architect or Design Professional. .

EVENTS COMMITTEE – TWO (2) POSITIONS

PUBLIC SAFETY FOUNDATION – THREE (3) POSITIONS

Council Comments

There were no Council Comments.

Executive Session

- A. Receipt of legal advice relating to claims and potential claims by the City and other matters covered by the attorney-client privilege
- B. Discussion of negotiations incident to proposed contractual arrangements

regarding the funding of a waterline project

- C. Discussion of negotiations incident to proposed contractual arrangements for the provision of sewer service
- D. Discussion of negotiations incident to proposed contractual arrangements relating to the City's Tax Increment Finance District
- E. Discussion of negotiations incident to proposed contractual arrangements between the City of Cayce and Lexington School District Two
- F. Discussion of negotiations incident to proposed contractual arrangement Concerning a possible economic development project and discussion of matters relating to proposed location and provision of services encouraging location of business in the City

Council Member Jenkins made a motion to move into Executive Session. Council Member Carter seconded the motion which was unanimously approved by roll call vote.

Reconvene

After the Executive Session was concluded, Council Member Almond made a motion to reconvene the Regular meeting. Council Member 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.

Possible Actions by Council in follow up to Executive Session

Item VIII. F.

Council Member Carter made a motion to authorize the City Manager to approve a contract for the sale and purchase of real estate and authorize the City Manager to sign the contract on behalf of the City of Cayce. Council Member Almond seconded the motion which was unanimously approved by roll call vote.

Adjourn

There being no further business, Council Member Corley made a motion to adjourn the meeting. Council Member Jenkins seconded the motion which was unanimously approved by roll call vote. The meeting adjourned at 6:32 p.m.

Elise Partin, Mayor

ATTEST:

Mendy C. Corder, Municipal Clerk

Good Afternoon Council,

I appreciate the opportunity to speak before you all again reference the rezoning of the commercial property located at 1213 State Street commercial which adjoins my residential property located on 1212 Honeysuckle Street.

I also want to thank Mrs. Almond for her recommendation to have Mr. Hughes and I meet along with Mr. Greenwood and Ms. Ocean reference the zoning request.

I am still opposed to Mr. Hughes request to rezone from C-1 to C-3.

I am a visual person and for see a negative impact not only to my property but to the other adjoining properties. The properties located at 1201 State Street and 415/417 Indigo Avenue will be severely impacted by the side yard setback.

I remain concerned about the water drainage due to the pre-existing poor water drainage in this neighborhood, the increased number of allowable structures that could be built on this property and the possibility of decreasing my residential property value.

Mr. Greenwood used the term "conformity" based on all current zonings listed on the City of Cayce's zoning map for the commercial properties listed on State Street.

The City of Cayce's zoning map does not reflect the true state of the property as to its development (see attached). There are several homes listed as commercial C-3 on Honeysuckle Street according to Cayce Zoning Map. But according to Lexington County Assessor's Office the properties are listed as residential and being taxed at a residential rate.

I am asking for Council to please deny this request. It is my understanding that Mr. Hughes meets all other conditions for his proposed expansion to relocate his Real Estate and Property Management Business without having to change the zoning. If in the future, Mr. Hughes desires to open a business listed under C-3 zoning, I ask then he come back to the Zoning Board at that time.

One last comment.. Is the City's plan is to develop State Street into an Art District for local artist?

Thank you for your time!

Lynn Reinke

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 November 17, 2016

Name	Address	Agenda Item
Lynn Reinke	1212 Honeyuckle St.	IV. A.
HANKS NICKERSON	2035 FAIRLAWN CIR	IV. B.
Tom Miles	1005 D Ave W. Dela	IV. A.
Mary Beth	1741 Dupond Blvd	
Margie Johnson		IV. 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. At the discretion of the mayor or presiding officer, the length of time for any speaker's presentation may be limited and the number speakers also may be limited.