



Mayor
Elise Partin

Mayor Pro-Tem
Tim James

Council Members
Phil Carter
Hunter Sox
Byron Thomas

City Manager
Tracy Hegler

Deputy City Manager
Jim Crosland
Assistant City Manager
Michael Conley

**City of Cayce
Regular Council Meeting
Tuesday, March 5, 2024**

The March 5, 2024, Regular Council Meeting was held this evening at 6:00 p.m. in Council Chambers. Those present included Mayor Elise Partin, Mayor Pro Tem Tim James and Council Members Phil Carter, Hunter Sox and Byron Thomas. Deputy City Manager Jim Crosland, Assistant City Manager Michael Conley, Municipal Clerk Mendy Corder, Police Chief Chris Cowan, Fire Chief Steven Bullard, Finance Director Kelly McMullen, Human Resources Director Lynn Dooley, Utility Director Betsy Catchings, 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 Council Member Thomas gave the invocation. Mayor Partin led the assembly in the Pledge of Allegiance.

Approval of Minutes

Council Member Sox made a motion to approve the February 6, 2024 Regular Council Meeting, the February 21, 2024 Council Work Session, and the February 21, 2024 Regular Council Meeting minutes as written. Council Member Carter asked if the minutes would need to be separated as he was not present for the meetings on February 21. Mayor Partin stated that as it was just an approval of minutes it was not necessary. Council Member Carter seconded the motion. Council Member Thomas stated that he wanted to ensure it was documented in the minutes that he did attend the Riverland Park Neighborhood meeting but he did not attend the cleanup. Mayor Partin requested the motion be amended to be approved with that change. Mayor Partin called the question which was unanimously approved by roll call vote.

Public Comment Regarding Items on the Agenda

Mr. Shelby Judd – Item III. B. Mr. Judd stated he was co-founder and CEO of the Hidden Music Festival. He stated that the upcoming festival was the third edition of the Hidden Music Festival and that Shaquille O’Neal would be headlining. He stated he wanted to thank Council for taking the time to review the fireworks request and wanted to emphasize that the majority of the fireworks would be quiet. He also stated that postcards had been sent to all residents who would be affected by the festival with festival details.

A. Discussion and Approval of Letter of Support for the Disposition of Public Housing for the Cayce Housing Authority

Council Member Sox made a motion to move item III. A. to Item X. Council Member Thomas seconded the motion which was unanimously approved by roll call vote.

B. Consideration of Fireworks Exemption Request for Hidden City Music Festival

Mr. Crosland stated that approval was needed to grant the Hidden City Music Festival exemption from the City's Ordinance Section 20-46 Discharge of Fireworks and Section 20-47 Exceptions in City Music Festivals. He stated the festival was currently working on a permit to host a concert on March 30, 2024 at the Historic Columbia Speedway and that the event would start at 2:00pm and end at 10:30pm. He stated that the festival organizers obtained a State Fire Marshal permit, but Mr. Judd, one of the festival organizers, would have to adjust the times on the permit since it currently only permitted fireworks from 7:00pm until 9:00pm. Mr. Crosland stated if the festival wanted to go beyond 9pm the organizers would need to call the State Permit Office.

Mr. Crosland stated that staff's recommendation was for the exemption of the fireworks upon approval of the State Permit's hours. Council Member Sox made a motion to approve the exemption. Mayor Pro Tem James seconded the motion and requested the festival clarify the times. Mayor Partin stated that what was on the permit was what was being approved and if the festival organizers did not update the times, then the City would only approve those hours. Mayor Pro Tem James asked Mr. Crosland if staff would like the City to support the motion. Mr. Crosland stated that the previous year the event went until 10:30 pm. Council Member Carter stated that the permit could not go past 10:30 with the amended hours. Mayor Partin requested Council add the caveat to the motion that with the amended hours from the State, the permit could not go past 10:30pm and that if the hours were not changed, the City would only approve the hours listed by the State. Mayor Partin stated that she wanted to be upfront and let Council know that she was going to vote no. She stated that she had heard from too many citizens that have pets that the fireworks were hard on them. She stated that the fireworks were going off for about three hours but she did appreciate all the thought and communication that had gone into the planning. Mayor Pro Tem James stated that he appreciated Mayor Partin letting Council know ahead of time that she was voting no. He asked Mr. Crosland for his perspective. He stated that Mr. Crosland had met with the festival organizers and he knew how the festival went the prior year. He asked if Mr. Crosland felt comfortable to move forward. Mr. Crosland replied yes. Mayor Partin called the question. Mayor Pro Tem James, Council Member Carter, Council Member Sox and Council Member Thomas voted yes. Mayor Partin voted no.

C. Discussion and Approval for the Repair of the Cayce Riverwalk Boardwalk

Mr. Crosland stated that over the past few months the Congaree River experienced severe flood levels. He stated that in February the City's entire Riverwalk and the Thomas Newman Boat Landing flooded and during this weather event severe structural damage occurred to the boardwalk located between the train trestles and Kelly Jones Park. He stated that damaged section had been closed since the flooding and would remain closed until repaired. He stated that the City's on-call general contractor, 3D Dirt Works, provided an estimate of \$275,000 for repairs with an additional \$25,000 for contingencies, for a total of \$300,000 to be paid from the City's TIF Fund. Mr. Crosland stated that the TIF Fund currently had a balance of \$4,671,000. Mayor Pro Tem James made a motion to approve 3D Dirt Works to repair the boardwalk in the amount not to exceed \$300,000 from the City's TIF Fund. Council Member Sox seconded the motion. Mayor Pro Tem James stated that 99.9% of the repairs done in the Riverwalk were done by Parks staff. He stated that they worked so hard to get the Riverwalk back into working order when it flooded. He stated that the Park Rangers worked hard to make everything safe and for Council to use TIF funds to be able to continue to make the Riverwalk the hidden gem as great as it was that was minimal compared to the enjoyment the Riverwalk brought people. Mayor Partin called the question which was unanimously approved by roll call vote.

Ordinance and Resolution

- A. Discussion and Approval of Ordinance 2024-02 Granting Lumos Fiber of South Carolina, LLC a Nonexclusive Franchise for the Use of Public Streets and Public Rights-of-Way for Facilities for Telecommunications Services – Second Reading

Mr. Crosland stated that the General Assembly had granted cities the ability to enter into franchise agreements with telecommunications companies wishing to operate in their jurisdictions and use their public rights-of-ways. He stated that over the past few months City staff had continued to negotiate with Lumos and was presenting a new agreement. He stated that the new agreement stated in lieu of the \$750 franchise fee, Lumos had agreed to install internet at five (5) of the City's parks. Mayor Pro Tem James made a motion to approve Ordinance 2024-02 on Second Reading. Council Member Thomas seconded the motion. Council Member Thomas stated that he wanted to thank staff for working hard with the negotiations. He stated that initially Lumos only agreed to lay fiber in three (3) City parks but after negotiating with staff had agreed to five (5). He stated that was life changing, especially for people that really could not afford internet. He stated that kids and families could play in the City's parks, but they could also do their homework. Council Member Thomas stated that he had some constituents in the Riverland Park area that were concerned because Lumos had not been there yet. He asked Mr. Crosland if staff could give updates on when Lumos was going to be in different sections of the City. Mr. Crosland said yes, staff could do that. Mayor Partin called the question which was unanimously approved by roll call vote.

- B. Consideration and Approval of Resolution Requesting the Lexington County Delegation to Establish a New County Transportation Committee with a Majority of Appointees to the Committee from Local Municipalities and Transferring the Authority of Lexington County Council to the New County Transportation Committee

Mr. Crosland stated that Code Section 12-28-2740B required that the County Transportation Committee (CTC) be appointed by the County Legislative Delegation and must be made up of fair representation from municipalities and unincorporated areas of that county. He stated that Lexington County was only one (1) of six (6) counties in the state where the County Council served as the CTC. Mayor Partin stated that it was a great to give municipalities more of a voice on how roads money that comes into the county was spent. Council Member Thomas made a motion to approve the Resolution. Council Member Carter seconded the motion which was unanimously approved by roll call vote.

Committee Matters

- A. Approval to Enter the following Committee Approved Minutes into the City's Record
 - Standard Technical Codes Board of Appeals – June 15, 2020
 - Cayce Housing Authority – October 17, 2023
 - Events Committee – November 9, 2023
 - Museum Commission – January 4, 2024
 - Planning Commission – January 22, 2024

Mayor Pro Tem James made a motion to enter the minutes into the City's record. Council Member Sox seconded the motion which was unanimously approved by roll call vote.

- B. Appointments
 - Board of Zoning Appeal – One (1) Position

Mayor Pro Tem James made a motion to move Item V. B to Item X. Council Member Sox seconded the motion which was unanimously approved by roll call vote.

City Manager's Report

Mr. Crosland stated that the Broadacres Clean Up was held on March 2 and there were 20 volunteers and over a ton of trash collected. He stated that March 16 from 11:00am until 2:00pm was the Save a Life Day in Graby Gardens Park with free food, drinks. He stated that the City's firefighters and police would be there giving instructions on the use of Narcan and CPR. He stated that there would be nonprofits

there as well and it was also Drug Take Back Day so they would be collecting any unused prescription medications to dispose of properly.

Council Comments

Council Member Thomas stated that the Center for Heirs Property Preservation was sponsoring a free will clinic on May 4, 2024 at Mt. Zion Church. He stated that residents could call 843-745-7055 to schedule an appointment and could find information on the event on the City's social media. He stated that he hoped to fill all the slots and at least 12 slots had been taken so far.

Mayor Pro Tem James stated that the first Council Meeting in April fell during Easter Week when a lot of families were out of town on spring break or had plans. He requested the meetings in April be moved back a week. Mayor Partin stated that the budget workshop calendar had already been created and there was a General Fund Budget workshop scheduled for April 17. She suggested moving the April 2 Council Meeting to April 9. Mayor Pro Tem James asked what time the budget workshop was scheduled for and Mayor Partin stated 2:00 pm. Mayor Pro Tem James suggested having the Council Meeting on April 17 directly after the budget workshop. Council Member Carter made a motion to move the April 2 meeting to April 9. Council Member Sox seconded the motion which was approved by a unanimous roll call vote.

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
 - 1. Update on Lexington County's Cancellation of Road Maintenance Agreement
 - 2. Claim for Improvements to Taylor Street at New State Road
 - 3. Claim for Improvements to Spencer Place
 - 4. Discussion of negotiations incident to proposed contractual arrangements concerning 800 Lexington Avenue
 - 5. Discussion of negotiations incident to proposed contractual arrangements for acquisition of property

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

Reconvene

After the Executive Session was concluded, Council Member Carter made a motion to reconvene the Regular meeting. Council Member Thomas 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 in follow up to Executive Session

Council Member Sox made a motion to postpone the letter of support for the Cayce Housing Authority indefinitely. Council Member Carter seconded the motion which was unanimously approved by roll call vote.

Mayor Pro Tem James made a motion to appoint Ms. Mary Teaster to the Board of Zoning Appeals. Council Member Sox seconded the motion which was unanimously approved by roll call vote.

Council Member Sox made a motion to authorize the City Manager and City Attorney to retain outside representation for recommendation of a lawsuit regarding a piece of City equipment. Mayor Pro Tem James seconded the motion which was unanimously approved by roll call vote.

Council Member Sox made a motion to authorize the City Manager and City Attorney to proceed concerning the proposed road maintenance agreement as discussed in Executive Session. Council Member Carter seconded the motion which was unanimously approved by roll call vote.

Council Member Sox made a motion to authorize the City Manager to release an RFP regarding paving projects for the City of Cayce. Council Member Thomas seconded the motion which was unanimously approved by roll call vote.

Council Member Sox made a motion to authorize the City Manager to enter into negotiations concerning 800 Lexington Avenue. Council Member Thomas seconded the motion which was unanimously approved by roll call vote.

Adjourn

Mayor Pro Tem James made a motion to adjourn the meeting. Council Member Sox seconded the motion which was unanimously approved by roll call vote. There being no further business, the meeting adjourned at 7:50pm.

Elise Partin, Mayor

ATTEST:

Mendy Corder, CMC, Municipal Clerk

