



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
Wednesday, July 11, 2023**

The July 11, 2023 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, Tim James and Hunter Sox. City Manager Tracy Hegler, 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 and Utility Director Betsy Catchings 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 Ten Jenkins 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 June 6, 2023 Regular Council Meeting and the June 21, 2023 Public Hearings 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

Ms. Cindy Pedersen – Item V. B. Ms. Pedersen stated that she wanted to speak on the open position on the Board of Zoning Appeals. She stated that she applied to serve on the Board in the 1990s and was told by the City of Cayce that they did not appoint females to that Board. She stated that she wanted to make sure that was not still the case and everyone was allowed to serve on boards. She stated that she had served on many City boards over the past 20 years but the Board of Zoning Appeals was what she was really interested in. Ms. Pedersen stated that she submitted a potential member application quite some time ago, and just waited until her application came next in the que. She stated that she hoped Council would appoint her to the Board.

Ordinances

A. Discussion and Approval of Ordinance 2023-12 Establishing New Municipal District/Ward Lines for the Election of Council Members Reflecting Population Changes in the Year 2020 Census and Repealing All Previous Ordinances Establishing District/Ward Lines – Second Reading

Ms. Hegler stated that there was no change to the Ordinance between First and Second Reading. She stated that however, at the previous Council Meeting, Council Member Carter asked a question about parts of Dogwood Street that had not been proposed to be moved from District 4 to District 3. She stated that Council Member Carter indicated specifically the area between Cypress Street and Haynes Lane since it would break up a neighborhood as proposed. She stated that she did reach out to the Revenues and Fiscal Affairs Office, the agency that proposed and designed the map and the redistricting, and they suggested that addition/change could be made. Ms. Hegler stated that Council could amend the proposed redistricting even further to include the piece that Council Member Carter inquired about. She stated that then what would be proposed would include approximately 30 parcels additional that would potentially go from District 4 to District 3. Ms. Hegler stated that the RFA advised that would be okay and it would still be under the City's aggregate population deviation of the recommended 5%.

Mayor Partin stated that with that new information she wanted to make sure the City did a really good job of communicating with the citizens to make sure to let those people know that there might be a change just like what was done with the first group who had the benefit of getting a letter about a potential change and now the benefit of being able to come to a public hearing. She stated that she would like to recommend that the redistricting be deferred so everyone had time to review the new information. Mayor Pro Tem Jenkins made a motion to defer the redistricting until after the November 2023 election. Council Member Carter seconded the motion. Council Member Carter thanked Ms. Hegler for getting that information from the RFA but stated that they gave an explanation and did not give an answer. He stated that his question was why did they carve out that odd little rectangle area, not the fact that they did. He stated that he knew Ms. Hegler was limited by what they told her but it did not make geographical sense to do that to just 30 homes. Mr. Carter stated that the RFA did not give a really thorough answer as to their rationale in their thinking and just said what could be done to change it.

Mayor Partin stated that Council Member Carter brought up an interesting point. She stated that every single vote mattered and she wanted to make sure that the redistricting proposal was given the time needed to make sure that Council and staff got a thorough answer. She stated that she knew that Lexington County Elections office needed the redistricting information as soon as possible so she was concerned that if it was postponed even a little bit, it did not give the City time to let the citizens know that would be affected. She stated that deferring it until after the election would help to make sure Council was doing the right thing. Council Member Carter asked if they

could legally do that. Ms. Hegler stated that she was not giving a legal response but there was no statute that required the redistricting to be done by a certain time, as it required with counties. Council Member Sox asked if theoretically, the City could just never redistrict. Ms. Hegler stated that it was supposed to be done as soon as reasonably possible but there was not a requirement. Council Member Carter stated that it appeared to him by the motion, that it was preferred to postpone until after the election to get more information and more clarification, rather than just geographically clean up Dogwood. Mayor Partin stated that Council could do that but she would not feel comfortable doing that because those citizens had not been informed. She stated that Council was very thorough about everything they did as a body and sent letters to educate and communicate. She stated that they gave people the opportunity in this case since legally they had the right to the public hearing and the people affected would not know anything. Council Member Carter stated that the citizens affected would need a letter if Council chose to move them. Mayor Pro Tem Jenkins stated that Council needed to make sure that they were doing it right since they did not want the Federal government getting involved if it was done incorrectly. Council Member James stated that his intent was to put on the table that if Council did move any of the lines from what they had been educating the community about than they would need to give some time to make sure that the community absorbed it and understood what it was and were able to reply back to Council if they had any concerns. He stated that if there was not a requirement to move quickly than they certainly should not. Mayor Partin called the question which was unanimously approved by roll call vote.

Items for Discussion and Possible Approval

A. Discussion and Approval for one (1) School Resource Officer Position and Memorandum of Understanding

Ms. Hegler stated that currently the Police Department had nine (9) School Resource Officers that were assigned to each school located within the City limits and as part of School District Two. She stated that Lexington Two School District approved funding in their FY24 budget year for an additional 10th SRO and would provide 100% funding for salary, vehicles, equipment and training for at least the first year. She stated that subsequent years would be negotiated the same time as annual MOU renewals if Council should move forward and that amount would be included in the budget as appropriate (assuming in the future it would be as with most of the City's SRO's, a 75/25 split). Ms. Hegler stated that the City did currently have two (2) SRO's that were funded by the State at 100% and the additional one would be a third one being offered at 100% from the School District. She stated that if the Officer was approved that additional Officer would be assigned to Cayce Elementary School, which would place two (2) SRO's in that school. She stated that was simply because Cayce Elementary had a very high population count.

Council Member James made a motion to approve adding one (1) new School Resource Officer position within the Cayce Police Department with 100% of the funding coming from Lexington School District Two and authorized the City Manager to sign the related agreement with Lexington School District Two. Council Member Sox seconded the motion which was unanimously approved by roll call vote.

B. Discussion and Approval of Contractor Selection to Repair the Railroad Avenue and State Street Sewer Line

Ms. Hegler stated that the sewer line that crossed the railroad tracks from Railroad Avenue to Cayce Street and was near State Street in the City's River Arts District, collapsed in November of 2021. She stated that line was unable to be fixed or removed and staff had been using one of the City's pumps to bypass the collapsed line since that time. She stated that the City contracted with its on-call engineer American Engineering to oversee the permitting, design and construction of the project. She stated that staff obtained from Norfolk Southern in May the approval needed to bore under their railroad and since that time, staff had advertised for bids the work that would need to be done to repair that sewer line.

Ms. Hegler stated that on June 1, 2023, in Council Chambers, a bid opening was held for the project that was administered by American Engineering. She stated that the project would include a construction of approximately 116 linear feet of 10-inch PVC gravity sewer and would bore approximately 130 linear feet of 24-inch steel casing with 10-inch PVC carrier pipe and install three (3) new manholes connections to the existing system. She stated that the existing gravity sewer line would be abandoned and all other appurtenances that were needed to complete the job were included in the project. She stated that four (4) bids were received and read out loud and the lowest responsive bidder for the project was TCO Construction with the unit price total amount of \$274,559 which was within the budgeted amount that Council approved in FY23 ARPA expenditures for this project. She stated that American Engineering had reviewed all the bids and provided the recommended award letter that was in Council's agenda packet.

Council Member Sox made a motion to approve the lowest responsive bid from TCO Construction Inc. in the amount of \$274,559 and authorize the City Manager to execute a contract between the City of Cayce and TCO. 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
Cayce Housing Authority – February 21, 2023
Cayce Housing Authority – April 11, 2023

Museum Commission – May 3, 2023

Events Committee – May 11, 2023

Council Member James made a motion to enter the Committee approved minutes into the City's Record. Council Member Carter seconded the motion which was unanimously approved by roll call vote.

B. Appointments

Events Committee – One (1) Position

Zoning Board of Appeals – One (1) Position

Mayor Partin stated that the Events Committee had an opening and the City had received a potential member application from Ms. Alyssa Daniel. Council Member Sox made a motion to appoint Ms. Daniel to the Events Committee. Mayor Pro Tem Jenkins seconded the motion which was unanimously approved by roll call vote.

Mayor Partin stated that the Board of Zoning Appeals had an opening and the City had received a potential member application from Ms. Cindy Pedersen. Council Member Sox made a motion to appoint Ms. Pedersen to the Board of Zoning Appeals. Mayor Pro Tem Jenkins seconded the motion. Council Member Sox stated that he wanted to echo what he had brought up four (4) times concerning the process the City had which really was not a process. He stated that there seemed to keep being questions and eventually he would love to talk about them and get a solid process in place. He stated that he thought Council were all on the same page and were not questioning things as much. Mayor Partin stated that she thought they did have a process in place. She stated that they had citizens who wanted to apply and wanted to be involved and Council took their applications in line as they came in. She stated that they just wanted to make sure that one (1) person was not on a lot of different committees and outside of that, she was not sure what other rules or guidance Council needed. She asked if there was something else Council thought would be helpful. Council Member Carter stated that he would like to know of openings on a City committee prior to opening his council packet. He stated that the opening on the Board of Zoning Appeals came available on June 2, a Friday, and there was a Council Meeting that next Tuesday and there was ample, perfect timing to let Council know there was an opening. He stated that a large percentage of applications Council saw happened in between Council Meetings, a resident would move or their work situation would change, and they could not fulfill their term and the position becomes available, the City receives an application and then it shows up in Council's packet. He stated that he had people that would like to apply for committees too but he did not know about them until Council voted on them. He stated that he would like Council to receive notice on openings. Mayor Partin stated that she absolutely thought that was something staff could do, they could notify Council as soon as there was an opening. She stated that citizens did not have to wait until there was an opening to put in an application. She stated that was why the City had a queue. She stated that there were several in line for the Planning

Commission and they were taken as they came in. Council Member Carter stated that a lot of people probably would not be interested in putting in an application for a potential position that may not come open for months or years. He stated that he would just like to be aware of openings prior to his backing. Mayor Partin stated that the committee openings memo in Council's packet lists all the openings on committees. Council Member Carter stated that when Council tabled this particular application at the last meeting, he did not have prior notice. He stated that it was not in the June 6 packet but in the June 21 packet even though the position became available on June 2. He stated that there was a Council Meeting that next Tuesday, June 6, then the application appeared before Council on June 21. He stated that he did not know about the opening for almost three (3) weeks. Mayor Partin asked if that had any influence on Council Member Carter not appointing the applicant. Council Member Carter stated that it was not a matter of influence. He stated that it was just a matter of informing Council of what was going on so they could make informed decisions. He stated that if Council was just going to simply take the next application in line, then why did they need to vote on it. Mayor Partin stated that it was Council's right to appoint. She asked why would Council not let citizens have a voice and take them as they want to come and get involved. Mayor Pro Tem Jenkins stated he wanted to see if he understood what Council Member Carter was saying. He asked if it would make more sense if Council got an application for someone to serve on a committee before there was a vacancy so the application would be on file maybe a year and a half prior to serving someone on it. He stated that sounded like what Council Member Carter was proposing. Council Member Carter stated that was not what he was proposing. He stated he was just asking that when there was an opening, that Council be informed, regardless of the queue. He stated there could be one (1) person or five (5), but if there was one (1), and Council knew that person would be next to fill that slot that would be a perfect opportunity for him to go to somebody and tell them Council was about to fill a slot and they could be first in the queue. Mayor Pro Tem Jenkins stated that he understood the problem now. He stated that whoever was applying to serve on a committee did not know that they got an opening, instead of coming up to open but one needed to recruit the individual they wanted to serve on the committee prior to them putting in an application.

Mayor Partin stated that Council had all the openings in their packet. Council Member Carter stated that he understood that completely but he was talking about the ones where somebody had a job transfer and it happened quick. He stated those were the ones he was not privy to. He stated that it would be nice to know if there is a short-fused opening. He stated that it could be a text informing Council of the opening and how many people were in the queue for that opening in case they had any potential people that wanted to apply. He stated that then there was ample time for him to let them know if they wanted to get into the queue, they could put an application in. Mayor Pro Tem Jenkins asked Council Member Carter if he thought it would work better if each Council Member had a folder and if they had someone they wanted to recommend to serve on a committee, they get the application and put it in their folder. He stated that

when there was an opening, Council could draw out whoever they wanted to recommend to serve. He stated that was the only way he could see that a Council Member could get something unless they took an application this council meeting that lets everyone know that this person put in to serve on a committee and Council voted on them the next council meeting that way they had a whole month to resolve what had been put before them. Council Member Carter stated that he was certain it had its possibilities if Council had a work session they could possibly work those details out. He stated that all did not have any beef on the application side. He stated that his request was just to let him know if somebody resigned prior to opening his packet and finding out about the opening then. He stated that he did not have a problem with the application process.

Mayor Partin stated she did not think anybody was disputing making sure Council Member Carter knew when there was an opening. She stated that she thought Mayor Pro Tem Jenkins was concerned with the way Council Member Carter phrased it, which was he wanted to make sure he got his people in as opposed to what just happened. She stated that there was an opening with one person in the queue. Council Member Carter stated that he did not say his people. He stated he just said people that he knew that wanted to be on a committee, he would like for them to have an equal and ample opportunity, like everybody else. He stated that he just wanted to know when there was an opening. He stated that he did not want to argue and fight about it because they had been fighting about it for a year and a half. He stated that if they were to sit down as a group, like Council Member Sox mentioned, they probably could have resolved it before now. Mayor Partin asked what was there to resolve. Council Member Carter stated that ever since November 2021 Council had challenges with potential member applications and unfortunately, their citizens got caught up in the crossfire of their untidiness. He stated that he simply wanted to know if there was an opening and if that was a problem then don't tell him and he would see it when he opened his council packet. Mayor Partin stated that she had already said she agreed on giving notice to make sure staff would say when a resignation comes in but Council Member Carter also just said he did not have a problem with the appointment process so what did Council need to discuss. Council Member Carter stated that he said he did not have a problem with the application process. Mayor Partin stated that Council Member Carter said in the same sentence, if Council would sit down and work it out, but it was worked out. Council Member Carter stated that he thought if Council sat down as a group, they would certainly have other ideas and other suggestions and could probably come up with a process. He stated that while Mayor Partin maintained that they had a process, the City Attorney was there a year and a half ago and said the City's process was they did not have a process. He stated that was exactly what he said. Mayor Partin stated that the City Attorney also said they did not need to overcomplicate it. She stated that Council was sitting down together right then working so what was needed. She stated that there was currently six (6) openings Council could ask citizens to get involved in and if they got more than six (6) applications, then they would be put in the queue. She stated that the only other thing that seemed to make sense besides that was to say,

they did not want one (1) citizen to take all of those positions. She stated that they wanted to make sure to share that.

Mayor Partin stated that Council did a lot of big, complicated, important things and this was the easy stuff. She stated that it was just their citizens who wanted to be involved. She stated that the process was not the problem at the last meeting. She stated that they heard the citizen who read the minutes and the minutes show that was not the question at the last meeting. Council Member Sox stated that it should be clarified that if folks would like to join a different committee, but they already served on one, they could step down and then apply. He stated that seemed to be the question last time. He stated that they should clarify that someone steps down then applies Council could appoint them but if they did not step down and apply then Council did not and could they apply and then step down if they got approved? He stated that he thought those were the questions that they were mulling over for the past couple of weeks here. Council Member Sox stated that if they got some clarification on that he would be more than happy to move forward with the appointment that night.

Mayor Partin stated the citizen did what Council Member Sox just said, they got off another committee right before that person's appointment came up and Council appointed the person to fill the position she had vacated. She stated what Council discussed at the last meeting was completely another issue. Council Member Sox stated that the question at the last meeting was to go back and look at what Council did before to remain consistent. He stated that was why he was not trying to change the whole process currently but he thought it was good to discuss so they knew moving forward. He stated that he wanted to make sure that one citizen was not wronged and then Council did something for another citizen and vice versa. He stated he wanted to make sure Council remained consistent in who they appoint, or the way they appoint people to certain committees, or especially people that have been on other committees and are moving from committee to committee, he wanted to make sure they were consistent with each person.

Mayor Pro Tem Jenkins stated that he guessed the question and the answer was that if no one else applied for the opening, Council did not have a timeframe on once one got off a committee, one had to wait a certain length of time, a probationary period so to speak, before one could get on another committee. He stated that if that was what they were trying to interact but no one said how long one had to be off the committee before getting on another. Council Member Sox stated that wasn't really what he was getting at. He stated that he wanted to make sure that they were all clear so what happened at the last meeting did not happen again. Mayor Partin stated that citizens submitted an application and when there was an opening Council would take them in the order that they came in and would state that they did not want someone on a lot of committees at the same time so it would be nice if they did what this person did and got off of one (1) before they got on another one (1). She asked if that was ok with the rest of Council. Council Member Sox stated that was fine with him, he just wanted to make sure they were all on the same page and clear. He stated that he thought that was what

the conversation really needed to be and asked if they should put that on the website. He stated that he was looking on the City's website to see if somewhere on there it said one could not be on two (2) committees at one (1) time. Mayor Partin stated that there was somebody in the room serving on two (2) committees. She stated that to her this was big government. She stated that this was not complex or tough. She stated that they had citizens who just wanted to volunteer. She stated that there was one at the last meeting that Council would not take on and she was the only one before Council. She asked how egregious would it have been to just say, "You know what, let's put her on because she wants to be involved. And we'll figure this out later." She stated that this was not life or death stuff, it was just letting citizens have a voice in their government and be involved. Mayor Partin stated that this person served for 22 years and did not exactly leave the City in a lurch. Council Member Sox stated that he was not saying that at all. He stated that her serving 22 years was most of his life and he appreciated the volunteering. He stated that he just wanted to make sure that they remained consistent. Mayor Partin called the question which was unanimously approved by roll call vote.

City Manager's Report

Ms. Hegler stated that the Museum staff and Commission had been working hard on starting their strategic planning process and were looking at consultants to help them facilitate that. She stated that they would be moving forward soon doing some big vision planning on how they continue to evolve, not only the Museum, but the historical work that they do on Council's behalf. She stated that staff issued an RFQ for a general contractor to have somebody on call, much like they did with the City's engineering and landscape architecture, but only received one (1) response. She stated that staff was going to put the RFQ back out for notice to try to get some fair competition. She asked everyone to spread the word if they knew of anybody that did general contracting work to help with sidewalk repairs, repairs at the Riverwalk that were more than staff could handle, just to be able to be nimble and move on those items. She stated that the Cayce Police Department's Cayce Character Camp was being held July 17 through July 27. She stated that the Police Department was putting that on and were really proud of it. She stated that it was the second annual camp where local students and children would be able to interact with the City's Officers and local community leaders, all while having fun and learning about character traits that would help them succeed. She stated that they would be meeting at Cayce Elementary School, from 8am to 3pm and would have various field trips, including to the City's Wastewater Treatment Plant. Ms. Hegler stated that she was continuing on her promise to make sure to get youth involved in great government jobs as early as possible. She stated that each day, they would focus on character traits that would help them become better adults and to learn about honesty, dependability, being motivated and being thoughtful, and have great presentations throughout the two (2) weeks. She stated that she had one staff kudo to share. She stated that in June the

City's Fire Department rescued some stranded rafters in the river. The Fire Department and that shift received a letter from the Lieutenant Governor thanking them and applauding them for their hard work every day and stated that it did not go unnoticed.

Council Comments

There were no Council comments.

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

B. Discussion of negotiations incident to proposed contractual agreements

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

Reconvene

After the Executive Session was concluded, Council Member Sox made a motion to reconvene the Regular meeting. Council Member James 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 authorize the City Manager to enter into an agreement with SCDOT, agreeing the City would fund upfront on a reimbursable basis over the next three (3) years up to the SCDOT's total 25% match for the SCIIP Grant and these funds would come from the unallocated fund balance as invoiced if the SCDOT should not participate at their full previously agreed level, the City should allocate no more than \$750,000 towards the SCIIP Grant, with the expectation that funds from the sources discussed and reported back to the Council at the next meeting. Council Member James seconded the motion which was unanimously approved by roll call vote.

Adjourn

Council Member James made a motion to adjourn the meeting. Mayor Pro Tem Jenkins seconded the motion which was unanimously approved by roll call vote. There being no further business, the meeting adjourned at 7:19pm.

Elise Partin, Mayor

ATTEST:

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 July 11, 2023

Name	Address	Agenda Item
<i>Cynthia Pedersen</i>	<i>1006 W Ave</i>	<i>Committee</i>

V.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.