



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, February 7, 2023**

The February 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, 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 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 January 10, 2023 and January 25, 2023 Regular Council Meetings as written. Council Member Sox 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 2023-02 Rezoning Property located at 1403 Dunbar Road (Tax Map Number 005766-03-007) from RG-2 (General Residential) to M-1 (Light Industrial) - First Reading

Ms. Hegler stated that this rezoning request came about after the applicant purchased the property that had a non-conforming use and their intended use would increase that nonconformity, which staff could not approve therefore the applicant asked for a zoning amendment. She stated that the applicant requested the rezoning to M-1. She stated that notification of that rezoning request went out on January 5, 2023, and on January 11, 2023 the applicant asked to withdraw the application. She stated that

the applicant stated that he had changed his business plan and no longer wanted to move forward with the rezoning. Ms. Hegler stated that because staff had already posted the property as is typically done for transparency and to help with the public's understanding of these changes, the applicant was told he would have to take his request of withdrawal to the Planning Commission. She stated that the Planning Commission met on January 23, 2023 and voted four (4) to two (2) to not accept the withdrawal of the rezoning by the applicant and so the Commission then heard the rezoning consideration.

Ms. Hegler stated that the property was located in an RD residential density flex area of the City's newly adopted Comprehensive Plan. She stated that the purpose of that classification was to provide flexibility so it could meet future housing demands. She stated that compatible zoning districts were RS1, RS2, RS3, RS4, RG1 and RG2, all mostly residential in character. She stated therefore, staff thought that the request to M-1 Light Industrial was not in compliance with the Comprehensive Plan and that was staff's recommendation. She stated that the Planning Commission heard that and no one was present to speak before or against the request therefore the Commission upheld the recommendation of staff and unanimously recommended that City Council deny the approval of the rezoning request. Ms. Hegler stated that the reasons that the denial were recommended were because the rezoning request was not in compliance with the Comprehensive Plan and was inconsistent with the area surrounding it.

Ms. Hegler stated that the Ordinance in the agenda packet was incorrect and should have read "does not recommend this change" since that was the action that the Planning Commission took. She stated that Council had the amended version in front of them at their seat. She stated that if Council chose to make a motion along those lines, they would need to accept the amended version of the Ordinance first and if adopted, then accept the recommendation.

Mayor Pro Tem Jenkins made a motion to accept the amended version of Ordinance 2023-02. Council Member James seconded the motion. Mayor Partin called the question which was unanimously approved by roll call vote.

Council Member James made a motion to accept the recommendation of the Planning Commission. Council Member Carter seconded the motion. Council Member Carter stated that the applicant asked that his rezoning request be withdrawn but the Commission denied that request. He asked if the Commission had ever allowed a request to be withdrawn in the past. Ms. Hegler stated that she was sure they had allowed that in the past. Council Member Carter asked why they did not allow it in this situation.

Mayor Partin stated that in the past applicants have come before the Planning Commission several times on the same issue which was less than efficient and less than respectful of the Commission and of City staff. She stated that she mentioned

earlier when talking to Council Member Carter that her concern, which she was going to bring up during the Council Meeting, was why the Planning Commission took a less friendly customer service stance on this request, not being one of those that was coming back to them often. She asked that staff go back to the Planning Commission and help Council understand why that happened. Mayor Partin stated that if at the last minute the applicant wished to withdraw then she did not understand why that would not be allowed. She stated that staff could follow up with Council via email once they spoke to the Commission. She stated that if the Commission was not sure why they did not accept the withdrawal then they might need more training on their role with the Commission. Mayor Partin called the question which was unanimously approved by roll call vote.

Items for Discussion and Possible Approval

- A. Discussion and Approval of a Budget Amendment for an Increase in Travel for Police Week in Washington D.C.

Ms. Hegler stated that Corporal Drew Barr was killed in the line of duty on April 24, 2022. She stated that everyone grieved then and continued to grieve that loss. She stated that May 11, 2023 - May 17, 2023 was Police Week in Washington DC and at that time Corporal Barr's name would be placed on the National Law Enforcement Memorial wall. She stated that this was done once a year for fallen officers from the previous year. She stated that Administration would like to take the shift members that worked with Corporal Barr the night he was killed along with the Victims Advocate, Police Chief Cowan, Deputy City Manager Jim Crosland, the Mayor and herself to Police Week to represent and support the Barr family. Ms. Hegler stated that the Barr family would of course be there and their trip would be funded through other means.

Ms. Hegler stated that in the White Paper in the agenda packet she detailed the events that would take place that week. She stated there would be a candlelight vigil, a conference for survivors and the memorial service where Corporal Barr's name would be put on the memorial wall. She stated that of course this was not budgeted since it was not something staff knew about or would know about. She stated that a budget amendment approval was needed in the FY 22/23 budget to allow for an up-to travel amount not to exceed \$25,000. Ms. Hegler stated that staff recommended that expense come from the General Fund fund balance.

Council Member James stated in memory of Corporal Drew Barr he would be happy to make the motion for the approval of the budget amendment for the increase in travel. Mayor Pro Tem Jenkins seconded the motion. Council Member James stated that he was very glad the City would be represented. He stated that there were many cities that lose an officer in the line of duty that are not able to represent that fallen officer. He stated that he was glad that the group of Officers that worked side by side

with Corporal Barr would be there and he believed this was part of the grieving process. Mayor Partin called the question which was unanimously approved by roll call vote.

B. Discussion and Approval for Submitting Grants to the Department of Justice for two Investigator Positions

Ms. Hegler stated that there was a great opportunity for the City to expand its investigative team through funding outside of its normal sources. She stated that violent crimes were up 22%, there was a 10% increase in murders, a 10% increase in aggravated assaults and an increase in other violent felonies all throughout South Carolina. She stated that the City had seen a small share of those increases with some firearm seizures and more illegal drug activity than had been seen before. She stated that receiving these grants would be critical in assisting the City's team in meeting the demands of the community. Ms. Hegler stated that being approved for the grants would allow the City to hire two (2) new investigators, one that would be a violent crimes investigator and the other a gang investigator.

Ms. Hegler stated that if the City was approved for the grants the two (2) new positions would be funded 90% by the Department of Justice, , and 10% by the City. She stated that staff expected that amount to be \$12,000 per position per budgeted year and the grants often were renewed for up to three (3) years. She stated that those would be positions that could be funded up to 90% for three years and then it could be reevaluated on year four. She stated that staff recommended that Council approve them to apply for these grants for the violent crimes investigator and the gang investigator through the Department of Justice, understanding that if awarded, it would require a 10% commitment of the City. She stated that would be an estimated cost of \$24,000 per year for both positions. Ms. Hegler stated that if the City was awarded the grants the positions would be brought back to Council for final approval.

Council Member Sox made a motion to approve staff to apply for the two (2) grants. 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
Museum Commission – November 9, 2022
Zoning Board of Appeals – November 21, 2022
Events Committee – September 8, 2022
Events Committee - November 28, 2022

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

**B. Appointment and Reappointment
Planning Commission – Two (2) Positions**

Mayor Partin stated that Mr. Richard Boiteau's term on the Planning Commission expired in February and he would like to serve again. She stated that he was filling an unexpired term and had served on the Commission since January 2022. She stated that Mr. Boiteau was currently the Vice Chairman of the Commission. She stated that Council had his reappointment application for their review. Mayor Partin stated that there was one (1) opening on the Commission and Council had before them potential member applications from Mr. Danny Creamer, Ms. Nancy Stone-Collum and Ms. Donna Ziegler.

Council Member James made a motion to a motion to reappoint Mr. Boiteau. He stated that Mr. Boiteau brought a great deal of experience, was currently the Vice Chair and as he understood, was serving well and attended the meetings. Council Member James stated that the second part of his motion was Mr. Danny Creamer was next in the que but he had spoken to Mr. Creamer, and he did serve on other Commissions and Committees, and Mr. Creamer stated he would like for his application to remain on file for future consideration since he recognized he should only serve on so many City Committees at a time. Council Member James stated that Mr. Creamer would like to come back to that at a later time. Council Member James made the motion to appoint Ms. Stone-Collum since she was next in the que and she did bring experience to the table. Mayor Pro Tem Jenkins seconded the motions which was unanimously approved by roll call vote.

City Manager's Report

Ms. Hegler stated that the City had been awarded a \$500,000 Brownfield Assessment Grant from the EPA and staff had been working with the EPA to get a work plan approved as the next step in the process, as well as working with the EPA on a solicitation that staff was going to submit the following day. She stated that a solicitation or an RFP, request for proposal, for a consultant to help staff implement that work plan that was approved by the EPA, would be submitted to the public. Ms. Hegler stated that Council approved at the prior Council Meeting the MOU for the Regional Gateway work, particularly for the City was the Airport Boulevard 302 Beautification Project. She stated that since that meeting staff had met with Richland County, the City of Columbia and Lexington County to get started on the next step, which was the procurement of a contractor for the work. Ms. Hegler stated that staff was working again with the Clemson architecture students to do studio projects in the

Cayce River Arts District. She stated that the students liked it so much and were learning so much that they were back for the third time. She stated that she and Mayor Partin and Mr. Conley met with the students recently and were proud that the City continued to be an inspiration for students in architecture around the state, not even necessarily local.

Council Comments

Council Member James stated that Council and staff attended Hometown Legislative Day that day and attended the Municipal Association of South Carolina training session. He stated that part of that training session was how to conduct effective and correct Council Meetings. He stated that Cayce's Council did a superb job with its Council Meetings in being transparent and setting best practices.

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 arrangements with a consultant related to proposed location of facilities and economic development

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

Reconvene

After the Executive Session was concluded, Mayor Pro Tem Jenkins made a motion to reconvene the Regular meeting. Council Member Sox 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

- A. Approval to proceed with proposed contractual arrangements with a consultant related to proposed location of facilities and economic development in an amount not to exceed \$30,000 utilizing hospitality tax fund balance

Council Member James made a motion to proceed with proposed contractual arrangements with a consultant related to proposed location of facilities and economic development in an amount not to exceed \$30,000, utilizing hospitality tax fund balance. Council Member Sox seconded the motion which was unanimously approved by roll call vote.

B. Other

Council Member Sox made a motion to authorize staff to prepare a letter to Lexington County Council and SC DHEC from Cayce City Council regarding American Scrap Iron and Metal. Mayor Pro Tem Jenkins seconded the motion which was unanimously approved by roll call vote.

Council Member Carter made a motion to approve the City Manager and City Attorney to move forward as discussed concerning the possibility of joining ongoing litigation. Council Sox seconded the motion which was unanimously approved by roll call vote.

Adjourn

Mayor Pro Tem Jenkins 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 7:45 p.m.

Elise Partin, Mayor

ATTEST:

Mendy Corder, CMC, Municipal Clerk

