



CITY OF CAYCE

MAYOR
ELISE PARTIN

MAYOR PRO-TEM
JAMES E. JENKINS

COUNCIL MEMBERS
TARA S. ALMOND
EVA CORLEY
TIMOTHY M. JAMES

CITY MANAGER
REBECCA V. RHODES

ASSISTANT CITY MANAGER
SHAUN M. GREENWOOD

CITY OF CAYCE Regular Council Meeting December 2, 2014

The December Regular Council Meeting was held this evening at 6:00 p.m. in Council Chambers. Those present included Mayor Elise Partin, Council Members Tara Almond, Eva Corley, Tim James, and James Jenkins, City Manager Rebecca Vance, Assistant City Manager Shaun Greenwood and Municipal Clerk Mendy Corder. Municipal Treasurer Garry Huddle, City Attorney Danny Crowe, Director of Utilities, Blake Bridwell, and Chief Charles McNair 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 Skip Jenkins gave the invocation. Mayor Partin led the assembly in the Pledge of Allegiance.

Approval of Minutes

Ms. Corder explained that Mr. Crowe advised that a minor change needed to be made to the minutes of the November 18, 2014 Regular Meeting. Under Possible Actions by Council in follow up to Executive Session, line two needs to be changed to "of the agreement for gift of property for the 12,000 Year History Park." Council Member Almond made a motion to approve the minutes with the proposed changes. Council Member Jenkins seconded the motion which was unanimously approved by roll call vote.

Presentations

A. Presentation of Community Service Awards

Mayor Partin announced that unfortunately the Community Service Awards recipients were unable to attend due to illness or family matters but she asked Ms. Corder to announce how long each had served on a City Committee since it was such an amazing accomplishment. Ms. Corder stated Mr. Frank Dickerson has served ten years on the Zoning Board of Appeals. Mr. Marion Hutson has served fifteen years on the Museum Commission and Ms. Mary Sharpe has served twenty years on the Museum Commission.

B. Presentation of Whole Sole Awards

Mayor Partin announced the whole Sole Awards were postponed to the January 6, 2015 Regular Council Meeting.

C. Presentation by Mr. Mike Pazery re Development in the City of Cayce

Mr. Pazery addressed Council regarding his concerns over the recent development in the City. He stated he feels there is over development in the City. He stated that Council had raised service fees, taxes and water and sewer rates. He commented on the cost of living raise for City employees for FY2013/2014 and the addition of more dedicated fire fighters. Mr. Pazery commented on the growth of the Cayce Riverwalk and the addition of Park Rangers in the newest section of the park. He stated Mayor and Council were now one of the highest paid Councils in the state due to their recent salary increase.

Mr. Pazery commented on the new apartment complex being built on the river. He stated that the population of Cayce is currently approximately 13,000 and he felt the influx of new residents will have a negative impact on the City. He stated the social, political and religious perspectives which the current residents of Cayce have will be engulfed and transformed by the over development of the City.

D. Presentation by Mr. Hubert Smoak re Transparency in City Government

Mr. Smoak stated he wanted to speak about transparency and what it means in small town government. He stated that transparency was used in politics to hold public officials accountable and to fight corruption. He stated he felt the more Council was open with the public the more they created trust with the residents. He stated that he felt Mayor and Council's recent salary increase was a very large amount at one time.

Mr. Smoak stated he felt that Council's proposed salary increase could have been more transparent on the Special Council Meeting's agenda. He commented that he was unhappy that the proposed increase amount was not on the agenda and that no one in the assembly was allowed to comment during the Special Council Meeting on the salary increases.

Mr. Smoak asked Council to do everything they can to make every item that comes up for vote as open and public as possible before a vote is taken. Mayor Partin explained that as soon as she was elected Mayor in 2008 she had staff move the Public Comment session on the Council Meeting agenda so it would be before any action items are taken. Before she was elected that session was at the end of the agenda therefore the public could only speak on an item after Council had taken the vote.

Mr. Smoak stated that it was sad that so few residents attend the Council Meetings and that more people do not care how their government runs. He stated that in the past he also has attended very few meetings but plans to attend more meetings in the future so he can stay informed.

Mayor Partin explained to the assembly that transparency is the most important issue to Council. For example, each Council Meeting agenda packet which has all the information regarding each agenda item is on the City's website. The agenda packet is also available at City Hall for anyone that is interested. Mayor Partin explained that agendas only list the topic of each item to be discussed but agenda packets have all the back-up information for each agenda item. She stated that each December Council sets the dates for the following year's regular Council Meetings. Mayor Partin explained that at the request of staff, Council now meets twice a month since there was so much that needed to be handled in a more timely manner and not just once a month. The second Council Meetings are usually the third Wednesday of each month. She stated these meetings are scheduled ahead of time so residents will know in advance when each meeting will be held.

Mayor Partin stated that almost every item that Council takes action on requires two readings therefore each item will be discussed at two different Council Meetings. The Special Council Meetings were initially created as a work session and were very short meetings. She explained that Council and staff did not think to add Public Comment to these meetings since they were such short meetings but has added a Public Comment section for all future Special Council meetings. Mayor Partin explained that Public Comment has always been on Regular Council Meeting agendas.

Mayor Partin stated the decision to adjust Council's salaries was a hard decision for Council to make. She explained that surrounding municipalities offer health insurance to their Council Members which increases the amount they are compensated. She stated Cayce Council did not want to receive health insurance benefits from the City since it is a cost that increases every year. Mayor Partin stated the City of Cayce has lower property taxes and rates than all the surrounding municipalities. She explained that a hospitality tax was recently instituted so the City's budget could be helped from visitors to the City.

Mayor Partin encouraged the assembly to contact herself, Council or staff any time with an issue so it can be addressed right away and not have to wait until a Council Meeting. She reminded everyone that she holds Meet with the Mayor at 5pm before every Regular Council Meeting and meets with the City's neighborhood leaders once a month as well.

E. Approval of 2015 Council Meeting Dates

South Carolina state law requires a municipality to make public the dates of Council Meetings at the beginning of each calendar year and provide Council with a suggested schedule. Mayor Partin stated that the Regular Council Meetings are the first Tuesday of the month. She explained that Council tentatively schedules a second Council Meeting each month for the third Wednesday of the month at 5pm. In April, June and October 2015 the Special Council Meeting will be held the fourth Wednesday of the month since the third Wednesday would fall the week following the Regular Council Meeting. Council Member Jenkins made a motion to approve the Council Meeting dates as submitted. Council Member Corley seconded the motion which was unanimously approved by roll call vote.

Public Comment Regarding Items on the Agenda

Ms. Corder advised that no one had signed up for Public Comment.

Ordinances and Resolutions

- A. Approval of Ordinance Amending Article 2 ("Definitions") and Article 9 ("Supplemental Off-Street Parking and Loading Regulations") of the Zoning Ordinance of the City of Cayce – Second Reading

Ms. Vance advised that in response to concerns from the community, Council Members asked staff to research effective ways to limit the use of portable storage containers in residential areas. Staff researched the issue by comparing Ordinances from around the state and nation. Staff also had several discussions with the Planning Commission regarding how this issue should be regulated in the City of Cayce. She stated these discussions focused mainly on the types of containers that should be allowed, the size of containers allowed and how long a container can be stored on a residential property. The Planning Commission and staff believe the resulting language is appropriate for the community. The Planning Commission held a Public Hearing on this matter at its regularly scheduled meeting on November 17, 2014. No members of the public were present to speak in favor of or against the Ordinance. The Planning Commission voted unanimously to recommend Council approve the Ordinance.

Council Member James asked how many days a resident is allowed to have a POD in their yard. Mr. Greenwood explained that a resident is allowed to have a POD for two weeks while they are in the process of either moving in or moving out. He stated that at any point a resident can apply for an extension. He explained that up to two extensions can be granted by the Zoning Administrator for an additional two weeks during each extension. Mr. Greenwood explained that to receive an extension there will have to be an extenuating circumstance.

Mr. Greenwood explained that PODs can be used on residential property for construction purposes as long as the resident has an active building permit or demolition permit. He stated as soon as a certificate of occupancy is granted the resident has one week to remove the POD.

Council Member Jenkins made a motion to approve the Ordinance amending Article 2 and Article 9 of the Zoning Ordinance. Council Member Almond seconded the motion which was unanimously approved by roll call vote.

B. Approval of Ordinance Amending the City Code to Address the Discharge of Fireworks within the City – Second Reading

Ms. Vance explained that at the Council Strategic Planning Session, Council discussed the possibility of amending the City Ordinances to add restrictions for the use of fireworks in the City. Currently fireworks are not mentioned specifically in the Ordinance. Specifically, Council requested changes to the Code that would limit the use of fireworks to specific times on the 4th of July and New Years Eve. She stated language was also added to allow fireworks at special events provided the event is duly permitted and the fireworks have prior approval from City Council.

Ms. Vance explained that in order to comply with State Law, staff created a new Division in the "Nuisance" section of the City Code. Additionally, the penalties for violating these specific regulations will be civil in nature and not criminal. Each violation may result in a \$100 fine. Toy cap pistols and sparklers were also specifically excluded from the regulations.

Council Member James asked if someone can be granted permission to discharge fireworks for a special event in the City. Mr. Greenwood stated there is a stipulation in the Ordinance that an exception can be granted by the Director of Public Safety with the approval of Mayor and Council for a special event.

Council Member James made a motion to approve the Ordinance amending the City Code to address the discharge of fireworks. Council Member Almond seconded the motion which was unanimously approved by roll call vote.

Ms. Vance reminded Council that the amended Ordinance would apply to New Year's Eve for 2014. After discussion, it was decided to change the effective date of the Ordinance to ensure that staff had ample time to get the word out to the citizens. Ms. Vance stated that a flyer explaining the amendment to the Ordinance will be placed on everyone's roll cart; the information will be in the next newsletter, and on the City's website and social media.

Council Member James made a motion to amend his motion to state the amendment to the Ordinance would become effective March 15, 2015. Council Member Almond seconded the amended motion which was unanimously approved by roll call vote.

- C. Approval of Ordinance Amending City Code Section 40-119 ("Fees Related to Fats, Oil and Grease") concerning Rates at the City of Cayce Septage and Grease Facility – Second Reading

Ms. Vance stated construction of the new Septage and Grease Facility at the City's regional wastewater treatment facility is completed and it started generating business in May 2014. At that time, the City only accepted hauled waste from Lexington County. Shortly thereafter, the City received approval to accept hauled waste from Richland County. She explained that in October 2014, the City received approval to accept hauled waste from all South Carolina (SC) counties. Advertisements were placed on the City website and an informational flier was mailed to an extensive list of SC haulers.

Ms. Vance explained that since starting operations, the volume/revenues have not been realized as projected. There are several contributing factors to this shortfall, and the Utilities Department has been researching the best possible ways to mitigate as many of these factors as possible. Specifically, the initial startup cost has been a fairly consistent complaint from potential customers. She stated for this reason staff believes reducing the permit fee from \$250.00 to \$0 will allow for a more attractive option to potential customers. Additionally, in order to be more competitive in the existing market, staff believes reducing the septic waste disposal fee from \$.010 to \$0.09 would be helpful in recruiting new customers.

Ms. Vance informed Council that business is slowly increasing at this time, but it is not on pace to meet the projected revenues. Staff believes the recommended changes will allow the City to attract additional haulers to the facility in order to increase the volume/revenues at the Septage and Grease Facility. In order for the facility to run at optimal efficiency and for the City to realize the best return on investment, the volume of material must be increased.

Council Member Corley made a motion to approve the suggested rate changes. Council Member Almond seconded the motion which was unanimously approved by roll call vote.

- D. Approval of Ordinance Providing for the Issuance and Sale of a Water and Sewer System Improvement Revenue Bond, Series 2014, of the City of Cayce, South Carolina, in the Aggregate Principal Amount not exceeding \$3,734,073 plus Capitalized Interest if Any, Pursuant to the Amended and

Restated Indenture of Trust as Supplemented; and other matters related
There to – Second Reading

Ms. Vance stated that the City has received approval from the State Revolving Loan Fund for approximately \$3,734,073 to repair and improve the Highway 321 line that leads away from the City's water plant. Mayor Partin stated this line is the line that broke last fall and left the City without water for over 16 hours. Ms. Vance explained this project will replace and upsize the water lines and valves leading out of the City's Water Plant.

Ms. Vance explained that funding for the bond payment and the debt coverage for this increased debt were included in the FY2014-2015 Budget. She stated if approved the project should be able to begin in January. The amount of the bond has been increased slightly to accommodate the actual bids for the project so the Ordinance was amended to reflect the new amount.

Council Member Jenkins made a motion to approve the Ordinance with the amended amount. Council Member Almond seconded the motion which was unanimously approved by roll call vote.

E. Approval of Resolution Accepting a Gift of Real Property for Park
Purposes

Ms. Vance stated the City wishes to acquire the approximately 359 acres of property otherwise known as the 12,000 Year History Park property from SCE&G. This property will be operated and maintained as a continuation of the City's Riverwalk Park while planning is being undertaken for the future History Park. She explained that the City is not required to make any payments for this property.

Council Member Almond made a motion to accept the gift of real property for the Park. Council Member Corley seconded the motion which was unanimously approved by roll call vote.

Other

A. Bid Award – Highway 321 Water Replacement Project

Ms. Vance stated that the City has received approval from the State Revolving Loan Fund for approximately \$3,734,073 to replace and improve the Highway 321 water line that broke last fall and left the City without water for over 16 hours. This project will replace and upsize the water lines and valves leading out of the City's Water Plant.

Ms. Vance explained that funding for the bond payment and the debt coverage for this increased debt were included in the 2014-2015 Budget. If approved, the project construction should begin in January. The SRF loan must be closed before the end of the 2014 calendar year. The project advertisement for bids was published on October 19, 2014 in The State Newspaper and also distributed to the usual contractor outlets. Interest in the project was received from eight contractors. Three (3) sealed bids were received, and publically opened and read aloud at City Hall on November 19, 2014 at 2:00 PM.

Ms. Vance stated that following the completion of the project bid opening, AEC checked all bid documents to confirm their completeness and the accuracy of the bid amounts. Bids ranged from a high bid of \$4,202,495.00 to the low bid of \$2,982,900.90. AEC has provided their bid tabulation and their bid award recommendation letter dated November 20, 2014 to City staff for a bid award to LAD Corporation of West Columbia in the amount of \$2,982,900.90, contingent upon LAD Corporation of West Columbia being approved by the SCDHEC SRF Section.

Council Member Corley made a motion to award the Highway 321 Water Replacement Project to the low bidder, LAD Corporation. Council Member Almond seconded the motion which was unanimously approved by roll call vote.

B. Appointment and Swearing in of Municipal Judge

Council Member Jenkins made a motion to re-appoint Judge Keabii Henderson. Council Member James seconded the motion which was passed unanimously by roll call vote. Ms. Corder administered the oath of office to Judge Henderson.

C. Appointment and Swearing in of City Attorney

Council Member James made a motion to re-appoint Mr. Danny Crowe. Council Member Jenkins seconded the motion which was unanimously approved by roll call vote. Ms. Corder administered the oath of office to Mr. Crowe.

City Manager's Report

Ms. Vance stated the renovations to Burnette Park are underway, the lighting is scheduled to be installed mid-January and then the renovations will be complete. She stated the Kenley sub-station has been upgraded with fiber and Public Safety Officers are now able to do their reports at the sub-station. This will increase the police presence in the community and residents can stop by to talk to the officers about any issues they may have.

Ms. Vance stated Mr. Greenwood recently met with officials from the Community Rating System. This system affects the rates for the City's resident's flood insurance and staff is in hopes that some of the programs that have recently been implemented at the City will help to decrease the City's score. A decrease in score will decrease the resident's flood insurance rates. Ms. Vance stated the RFQ's for the Knox Abbott Drive project just came in and hopefully staff will have a recommendation for Council at the first meeting in January.

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 for sewer and water capacity fees
- C. Discussion of negotiations incident to proposed contractual arrangements regarding Building Official services in the Town of Springdale
- D. Discussion of City Manager's Employment Contract Renewal

Council Member James made a motion to move into Executive Session to discuss the matters above. Council Member Jenkins 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 Corley seconded the motion which was unanimously approved by roll call vote. Mayor Partin announced no vote was taken other than to adjourn and resume the regular meeting.

Possible Actions by Council in follow up to Executive Session

- VII. C. Discussion of negotiations incident to proposed contractual arrangements regarding Building Official services in the Town of Springdale

Council Member James made a motion to approve and authorize the City Manager to sign the contract between the City and the Town of Springdale. 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 Almond seconded the motion which was unanimously approved by roll call vote. The meeting adjourned at 8:30 p.m.



Elise Partin, Mayor

ATTEST:



Mandy C. Corder, Municipal Clerk

