



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 18, 2015

The November Regular Council Meeting was held this evening at 6:00 p.m. at the Cayce Tennis and Fitness Center. 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, 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 Jenkins gave the invocation. Mayor Partin introduced Cayce Public Safety Officer Donta Stewart to lead the assembly in the Pledge of Allegiance. Officer Stewart joined the United States Navy in 2005 during Operation Iraqi Freedom. He served 4 years in the Navy as an Ordnance Technician. He transferred to the United States Army through a congressional program where he served for two years as a combat engineer. Officer Stewart medically retired as a Sergeant.

Approval of Minutes

Council Member Corley made a motion to approve the October 6, 2015 Regular Council Meeting minutes and the October 28, 2015 Special Council Meeting minutes as written. Council Member Almond 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.

Proclamation

A. Approval of Proclamation – Arbor Day

Council Member Almond made a motion to approve the Proclamation recognizing December 4, 2015 as Arbor Day in the City of Cayce. Council Member Corley seconded the motion which was unanimously approved by roll call vote.

Ordinances

A. Discussion and Approval of Ordinance 2015-13 Amending Article 7 (“Conditional Use and Special Exception Regulations”) of the Zoning Ordinance of the City of Cayce – First Reading

Ms. Vance explained that the City received an application to rezone property in Richland County to allow for the construction of privately owned baseball fields. In reviewing the Zoning Ordinance it was discovered that the only two zoning designations that allow for the construction of baseball fields or any other types of parks are C-4 and M-1. Both of these designations allow for a large variety of uses, some of which may be too intensive for surrounding properties. Furthermore, if a developer wanted to develop a neighborhood that included any multiuse fields for the recreation of the residents, it would not be allowed under the current Ordinance.

Council asked staff at the October 28, 2015 Special Council Meeting to research amending the Zoning Ordinance to allow for the development of parks and recreational areas in districts other than the highway district (C-4). Staff drafted an amendment creating a Special Exception to allow for the development of parks. The amendment requires that an applicant apply for a Special Exception in any zoning district to put a park or recreational facility. The applicant will have to appear before the Board of Zoning Appeals who would approve it based on the criteria. The Planning Commission considered the request for the Special Exception at its regular meeting on November 16, 2015 and recommended it for Council’s approval.

Council Member Jenkins made a motion to approve the Ordinance amending Article 7 of the Zoning Ordinance. Council Member Almond seconded the motion which was unanimously approved by roll call vote.

B. Discussion and Approval of Ordinance 2015-14 Re-Establishing a Temporary Moratorium on Certain Requests for Revenue from the City’s Local Hospitality Tax Account – First Reading

Ms. Vance stated that when the City first implemented the Hospitality Tax, Council decided to create an Ordinance approving a one year moratorium limiting the expenditures of Hospitality Tax funds. Staff and Council agreed that the first year’s revenue should be focused on inside City projects. Ms. Vance explained that Staff is requesting to renew the moratorium for another year. She stated that the City currently has plenty of needs and extending the moratorium for one year would meet the best interest of the City.

Council Member Jenkins made a motion to approve the Ordinance on First Reading. Council Member Almond seconded the motion which was unanimously approved by roll call vote.

Other

A. Discussion and Approval of RFP Award for Charleston Highway/Knox Abbott Drive Intersection Improvements

Ms. Vance stated that the City of Cayce received \$300,000 in C funds from the County of Lexington for intersection improvements on Knox Abbott Drive/Charleston Highway. These improvements will be done in conjunction with the new Neighborhood Walmart Grocery Store. She stated that offsite construction services are needed for this project. Total project construction cost will be \$789,492. She explained that there is a state law that pertains to the use of C Funds. This law requires that the project go through a bidding process and the local government has to bid out the project, not the developer.

Ms. Vance stated that a request for proposals was placed in SCBO and on the City's website. She stated that the City only received one bid which was from the DBS Corporation. She stated that DBS Corporation is also doing the onsite work for this project. She explained that the City has an agreement with BMS Cayce, LLC who is the developer of the property. The agreement states that the City will reimburse BMS for \$300,000 worth of offsite improvements. BMS will turn in invoices to the City who will in turn give them to Lexington County. The agreement states that BMS will not be reimbursed until DOT accepts the road. She explained that if BMS cannot meet DOT's requirements then they will not receive any funding from the City.

Ms. Vance stated that staff prefers that BMS sign a contract with DBS Corporation rather than the City signing a contract with them. The County has given the City approval that the contract does not need to be between the City and DBS but between DBS and the developer. She explained that she does not have that in writing from the County yet. Ms. Vance stated she does not want to award the contract to DBS until she has the County's agreement in writing. She explained that if it is decided that the City has to sign a contract with DBS then she would like Council approval to do that and have the City Attorney review the contract and sign normal construction documents with DBS. Ms. Vance explained that there is a mandatory fourteen day protest period and final approval will not be authorized until this period has ended.

Mayor Partin asked that staff make sure that the County recognizes that a portion of the intersection is in West Columbia so the City does not have a problem receiving additional C Funds in the future.

Council Member Carter asked who the prime contractor was for the property. Ms. Vance stated that BMS is the developer and the contractor. Council Member Carter expressed concern that there was only one bidder for the project. Ms. Greenwood explained that she had several contractors contact her regarding the project. She explained that the contractors could not get enough sub-contractors for the project. There were also sub-contractors interested in the project but they could not find a General Contractor that was willing to take on the project. She explained that all sub-contractors have to be SC DOT approved. Ms. Vance stated that because C Funds were being used for the project all contractors have to be DOT approved and DOT chooses who is on that list.

Council Member Corley made a motion to approve a contract and authorize the City Manager to sign based on the necessary approvals the City Manager needs in writing and if the approval in writing is not received then Council authorizes the City Manager to execute a contract with DBS Corporation. Council Member Jenkins seconded the motion which was unanimously approved by roll call vote. Ms. Vance explained to the assembly that no City funds were being used for the Neighborhood Walmart project or on the intersection. She stated that the intersection is part of a state road and the contractor and the developer will not receive any funding from the City unless DOT accepts the roads.

City Manager's Report

Ms. Vance updated Council on the City's parks that were affected by the rains in October. She explained that Riverwalk Phase 1, 2 and 3 are still closed. Phase 4 and Timmerman Trail are open. Guignard Park is closed for renovations and Granby Gardens Park is closed for Christmas in Cayce. All other parks are open.

Ms. Vance stated that the City experienced approximately \$3.9 million in damage during the flooding. She explained that \$2.6 million of that damage occurred in the Riverwalk. She stated that staff had already met with FEMA and the City is receiving \$60,000 from FEMA for the hourly wages of staff who provide protective services. Ms. Vance stated that Hazard Mitigation Funds are available approximately a year after an event like the floods. Staff hopes the City will be able to apply for stormwater improvements for Riverland Park.

Ms. Vance stated that Mr. Greenwood has been working on the Rental Registration Ordinance for the City. The City Attorney suggested some changes to the Ordinance so it will come before Council at the December 1, 2015 Council Meeting. She stated that the first house on the demolition list was demolished by the property owner. She explained that staff had hoped to be further along on the list but the same staff members that work on that team are also on the FEMA assessment team. She

stated that the letters to the property owners that are on the top of the list will be sent out that week.

Committee Matters

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

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

Beautification Board – September 14, 2015

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

Mayor Partin asked Council to think about anyone they know that may be interested in serving on the City's committees that have open positions. Ms. Corder stated that she received a potential member application for the Consolidated Board of Appeals and it will come before Council at the December 1, 2015 Meeting for their approval.

Council Comments

Mayor Partin updated the assembly on the schedule for the upcoming Christmas in Cayce events. She stated that the Woman's Club of Cayce is hosting the annual Tree Lighting Ceremony on December 3rd at 6pm, this event kicks off the holiday events for the City. She stated that the Museum's Christmas Traditions is Saturday December 5th and they are doing some new events this year. The Greater Cayce West Columbia Holiday Parade of Lights is Saturday, December 12th. Mayor Partin stated that the River Alliance is hosting Lantern Tours in Timmerman Trail.

Mayor Partin thanked everyone for their thoughts and prayers for the City's Public Safety Officers. She stated everyone was thankful that they were recovering. Council Member Jenkins thanked everyone for their concern for the Officers as well.

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 concerning proposed contractual arrangements as it relates to potential development

- C. Receipt of legal advice regarding City TIF District
- D. Receipt legal advice regarding possible Utility debt refinancing
- E. Receipt of legal advice concerning the Joint Water and Sewer Commission's bill for service under the Wastewater Agreement

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

Possible Actions by Council in follow up to Executive Session

Item IX. B.

Council Member Almond made a motion to authorize the City Manager to negotiate with Mr. David Hilburn for additional amounts as discussed as credits in consideration of his incurring expense for the benefit of the City. Council Member Jenkins seconded the motion which was unanimously approved by roll call vote.

Item IX. E.

Council Member Corley made a motion to approve a grant for \$10,984 for the Joint Commission for its increased weather emergency cost in recognition of the Joint Commission's past consideration for the City in its time of emergency. Council Member Carter seconded the motion which was unanimously approved by roll call vote.

Adjourn

There being no further business, Council Member Almond 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 7:06 p.m.

Elise Partin, Mayor

ATTEST:

Mendy C. Corder, Municipal Clerk

