



## 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 VANCE

*ASSISTANT CITY MANAGER*  
SHAUN M. GREENWOOD

### CITY OF CAYCE Regular Council Meeting February 3, 2015

The February 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 Tara Almond gave the invocation. Mayor Partin introduced Mr. John Kirkland, a United States Military Veteran, to lead the assembly in the Pledge of Allegiance.

Mayor Partin announced that the National Park Service has trained volunteers to give Battlefield tours at Timmerman Trail. The tours are free and will be held until the end of March in commemoration of the 150<sup>th</sup> anniversary of the burning of Columbia. She stated the unveiling of the African American historical marker on Timmerman Trail will be held on February 13<sup>th</sup> at 2pm. She explained that the earthworks in Timmerman Trail were built primarily by slaves and are approximately a mile long and in some places are 15 feet wide and 10 feet tall.

#### **Approval of Minutes**

Council Member Corley made a motion to approve the January 6, 2015 Regular Council Meeting minutes and the January 21, 2015 Special Council Meeting minutes as written. Council Member Jenkins seconded the motion which was unanimously approved by roll call vote.

#### **Presentations**

A. Presentation by Mr. Hubert Smoak re Holiday Light Displays at City Hall

Mr. Smoak appeared before Council to present his concerns regarding the City not having a nativity scene as part of its holiday light displays. (See comments attached).

B. Presentation by Ms. Maryann Dowd re Improvements in Cayce

Ms. Dowd appeared before Council to present her concerns regarding code enforcement issues in the City. (See comments attached).

**Public Comment Regarding Items on the Agenda**

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

**Resolutions and Ordinances**

A. Approval of Resolution 2015-01 Municipal Association's 2015 Advocacy Initiatives

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

B. Consideration and Approval of Resolution Approving Automatic Aid Agreement with Lexington County Fire Service

Council Member James made a motion to approve the Automatic Aid Agreement. Council Member Jenkins seconded the motion which was unanimously approved by roll call vote.

Ms. Vance explained that the Agreement was an Automatic Aid Agreement with Lexington County for fire service. She advised that the agreements do not have an expiration date and are only renewed when one of the parties determines that a renewal is needed and gives notice to the other parties involved. This agreement was last renewed in 2006 and the County is in the process of making all agreements uniform so a renewal was necessary.

C. Consideration and Approval of Resolution Approving Mutual Aid Agreement with Lexington County Sheriff's Department

Council Member James made a motion to approve the Mutual Aid Agreement. Council Member Corley seconded the motion which was unanimously approved by roll call vote.

Ms. Vance advised that the State Law Enforcement Assistance and Support Act requires that Council approve Resolutions for mutual aid agreements between police agencies, therefore the agreement will come before Council every year.

D. Consideration and Approval of Resolution Approving Multijurisdictional Alcohol Enforcement Unit Agreement

Council Member James made a motion to approve the Multijurisdictional Alcohol Enforcement Unit Agreement. Council Member Almond seconded the motion which was unanimously approved by roll call vote.

E. Approval of Ordinance 2015-02 Amending the Zoning Map and Rezoning Certain Properties on Axtell Drive and Lafayette Avenue to Single Family Residential, Small Lots (RS-4) – First Reading

Ms. Vance explained that the applicant wishes to combine the multiple properties to develop a new subdivision consisting of 25 single family homes. Combining the properties will create an area of approximately 8.95 total acres. The applicant requests to re-zone a portion (approx. 1.53 acres) of TMS# 004653-07-009 (1419 Axtell Drive). The property at 1419 Axtell is currently zoned RS-3.

Ms. Vance stated that TMS# 004653-07-010, 004653-07-011 and 004653-08-025 (1407 Axtell Dr., 1401 Axtell Dr., Axtell Dr.) were originally approved as a PDD that allowed for the construction of approximately 16 houses. The previous developer never followed through with the original plan. She explained that in order for the property to be developed, a new developer would have to comply with the existing approved plan. A PDD which does not include mixed uses is no longer legal and so it cannot be amended.

Mr. Greenwood stated that TMS# 004655-01-002 (L Avenue (*not numbered*)) does not have any approved plans on file therefore any plans for the existing PDD would need to be approved by Council before the property can be developed. The applicant requests the RS-4 zoning district because it allows smaller lot sizes. The minimum lot area in the RS-3 zoning District is 7,200 sq. feet and the minimum is 5, 000 sq. feet in the RS-4 zoning district. He explained that Single family homes are a permitted use in the RS-4 zoning district.

Council Member James asked if any citizens spoke in opposition to the rezoning request at the Planning Commission meeting. Mr. Greenwood stated that the re-zoning request was opened for public hearing and members of the public asked questions but no one spoke in opposition to the re-zoning request.

Council Member James asked if the developers had requested attaching the new development to the City's Riverwalk. Ms. Vance explained that they had not inquired about that so far. Mr. Greenwood stated that the developers of One Eleven Apartments had voiced interest in attaching to the Riverwalk. Ms. Vance explained that once the developers reach the site plan step in the process they would have to come before

Council to request Council's approval to attach to the Riverwalk. Council Member Jenkins asked what the easement was in the Riverwalk. Mr. Greenwood showed him where the proposed property was in comparison to the Riverwalk on a large map.

Mr. Greenwood stated that the Planning Commission voted unanimously to recommend the requested re-zoning to a RS-4 zoning designation. He stated the requested zoning is in compliance with the Comprehensive Plan. Council Member James made a motion to approve the rezoning request. Council Member Almond seconded the motion which was unanimously approved by roll call vote.

### **Other**

#### **A. Discussion and Approval of Hospitality Tax Policy**

Ms. Vance explained that as discussed, staff recommended creating a policy for the usage and granting of Hospitality Tax Funds. The proposed policy and application outlines who is eligible to receive hospitality tax funds, the procedures and criteria for applying for these funds, how the applications will be approved, how payments of the funds will be administered and what reports will be required after the funds are utilized.

She stated although there were not many actual, written policies for the use of hospitality tax funds in other municipalities, staff was able to use the ones they found, along with other municipality's policies on accommodation's tax funds, to come up with best practices that they think the City's program should follow.

Ms. Vance explained that most hospitality tax policies require the agency requesting the funds to be a 501(c) 3 but the City's policy only requires the agency to be able to prove they are a non-profit, they do not have to be a 501(c) 3. She stated for the first year in 2015, applications will be accepted and approved as received but starting in 2016 all applications will be due by November 16, 2015. They will be placed on the agenda requesting Council approval at one of the council meetings in January.

Mayor Partin stated that she had a few changes to the policy that were not substantive and would only make the policy more specific and concise. After Mayor Partin outlined her changes, Council Member James asked how Council would be kept up to date with how much money is in the hospitality tax revenue account and how much money has been allocated. He stated he wants this information to be available to the City's citizens as well. Ms. Vance explained that there will be a chart listing each event that Council approved funding for and the transfer in and the transfer out for the General Fund expenses. She stated Council could receive this report quarterly if they like.

She stated the City has collected \$196,062 in hospitality tax funds since October 2014 and only \$26,990 has been allocated so far.

Council Member James made a motion to approve the proposed hospitality tax policy with Mayor Partin's changes. Council Member Almond seconded the motion which was unanimously approved by roll call vote.

**B. Discussion and Approval of Hospitality Tax Fund Requests – Cayce Serves Tennis Tournament**

Ms. Vance explained that the Cayce Serves Tennis Tournament request for hospitality tax funds was placed on the agenda only because the event is in April and event planners need the funds for marketing and advertising. She explained she typically would not ask Council to vote on a request after just approving the policy but time was an issue for this event.

Council Member Jenkins made a motion to approve the request. Council Member Corley seconded the motion. Council Member James voiced concern regarding approving a process and approving funding on the same agenda. He stated he felt that to be completely transparent the requests need to be on another Council Meeting agenda. Council Member Corley stated she understood Council Member James' concerns but she felt comfortable approving the request since it is a City Foundation that puts on the Tennis Tournament.

Council Member James stated he supports both events but felt that if Council approved the requests then they would set a precedent for approving guidelines and requests on the same agenda. Council Member Jenkins stated that the policy would not need to be approved every time there is a funding request so he felt comfortable approving the requests since it was a onetime occurrence. Council Member Almond asked how long the application had been made available to the public. Ms. Vance explained that there were multiple events being held in the spring that were requesting funding so staff made the application available to them as soon as the application was created so they could be considered for funding immediately.

Council Member Almond stated she agreed with Council Member James that it is important that the hospitality tax process be as transparent as possible but felt that since the applications had been made available previously she was okay with approving the requests for funding. Council Member James added that it needed to be clearly stated that applications were given out for funding before the policy was approved by Council. Ms. Vance stated that staff explained to each applicant that the policy had not been approved by Council yet but since the application is so in depth they could fill it out but Council may make changes to it. She explained that typically

staff would not do that but this was an unusual situation where event planners needed to know as soon as possible if their event was approved for funding so they could plan accordingly. Council Member Jenkins stated he did not want to penalize the applicants solely because this is a new process that Council is approving.

Ms. Vance explained to the assembly that the Cayce Serves Tennis Tournament raises funds for the City's Public Safety Department. The money is used to purchase tasers, bullet proof vests, fire hoods, etc.

After further discussion, the motion to approve the request for hospitality tax funds was unanimously approved by roll call vote.

C. Discussion and Approval of Hospitality Tax Fund Requests – Tartan Day South

Council Member James made a motion to approve the hospitality tax fund request for Tartan Day South. Council Member Jenkins seconded the motion which was unanimously approved by roll call vote.

**City Manager's Report**

Ms. Vance stated that the Columbia Commemorates tours celebrate the Burning of Columbia and will take place from January 30 through March 14, 2015. She stated that the FY15/16 budget process has started and Council was recently emailed the budget schedule. She explained that staff was going to try to have the budget workshops only at the Special Council Meetings but could not guarantee that they would not have to be held at the regular Council Meetings as well.

Ms. Vance stated that the State Street sewer project is complete and the line has been replaced. She stated that the City received a \$250,000 grant to fund improvements to Guignard Park and shore up the creek in the park. The City will match the grant either with in-kind staff labor or with TIF funds. A committee is in the process of rating and ranking the RFQ's and then it will come before Council for their approval.

Ms. Vance stated that at the January 21, 2015 Council Meeting Council approved Land Plan South for the engineering of the first phase of the Pedestrian Safety and Traffic Calming project on Knox Abbott Drive. Recently staff met with Land Plan staff and the developers of the One Eleven apartments to coordinate the improvements to the intersection at Knox Abbott Drive and Axtell with the building of the apartments. She explained that the goal is to work together so the sidewalks and landscaping will not be damaged during the building of the apartments. Also by working together there will not be any overlapping of work and there should be some cost savings.

Ms. Vance explained that staff is working with an organization that is interested in putting a geocache on the Riverwalk and Timmerman Trail. She explained that a geocache is similar to a treasure hunt and draws people to that location.

### **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 – October 20, 2014  
Cayce Events Committee – November 13, 2014  
Board of Zoning Appeals – December 15, 2014  
Planning Commission – December 15, 2014

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

#### **B. Committee Recommendations**

##### **1. Discussion and Approval of the Public Safety Foundation's recommendation to amend the Bylaws**

Ms. Vance explained that the Cayce Public Safety Foundation's current Bylaws require that the Foundation consist of ten (10) directors with two (2) directors coming from each of the four (4) Council districts and two (2) at large. In order to ensure that Council is able to recruit more directors to the Foundation, the Foundation suggests amending the Bylaws to read that Council may appoint directors from within the City at large and directors need not be from particular Council districts.

Ms. Vance stated that the current Bylaws also define a quorum of the Board of Directors to consist of a majority of the directors in office before a meeting begins. The Foundation suggests amending the Bylaws to state a quorum consists of the number of directors attending a meeting; provided, that in no event shall a quorum consist of fewer than two (2) directors. Therefore any action needed can be taken at each meeting. The Public Safety Foundation discussed these amendments at the January 27, 2015 meeting. A motion to recommend an amended copy of the Bylaws passed with an unanimous vote.

Council Member Almond made a motion to approve the amendments to the Public Safety Foundation's bylaws. Council Member Corley seconded the motion which was unanimously approved by roll call vote.

### **Council Comments**

Council Member Corley announced that she graduated from the Municipal Election Officials Institute that day. She attended class for three years on governing, the budget process, etc. Everyone on Council is a graduate of the Institute. Council Member James thanked Ms. Dowd for taking the time to present to Council. He also thanked Ms. Harvey for her many years of service on the Edenwood Garden Club and Mr. Smoak for taking the time to present to Council as well.

Council Member Jenkins thanked everyone for their kind words and sympathy during the passing of his sister. He thanked Chief McNair and his officers for their support as well. Mayor Partin explained that transparency is very important to everyone on Council. She explained that Council receives a packet of information for each Council Meeting that explains each item on the agenda. She stated this packet is available on the City's website for anyone that is interested in looking at it and a hard copy is also available at City Hall.

### **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 with Lexington County
- C. Discussion of City Manager's Annual Evaluation

Council Member Corley 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 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**

- IX. B. Discussion of negotiations incident to proposed contractual arrangements with Lexington County

Council Member Corley made a motion to authorize the City Manager to continue with negotiations with Lexington County regarding 911 services as discussed. Council Member Almond 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 8:09 p.m.

  
Elise Partin, Mayor

ATTEST:

  
Mendy C. Corder, Municipal Clerk

## Why no Nativity Scene

The City of Cayce has, in my estimation, one of the premier Christmas displays in all of the Columbia area, something of which Cayce can take great pride. We also, along with West Columbia, have the best Christmas parade. However, in the more than 30 years that I have been a resident I don't recall ever seeing a Nativity scene: plenty of Santa Claus and trains and nutcrackers and boats and all kinds of toys that can or can't fit down your chimney. But no Nativity, which is the true story of Christmas.

I get that it is a Christian display and putting one up could inspire our non-Christian residents to want to put up their anti-Christian displays. However, that doesn't change the fact that America is still more than 80% Christian, and in a country where majority rules in almost every other circumstance, we Christians are resigned to putting these displays only in our private yards.

It has taken as little as one single voice of opposition to cause us to cower and give in to minority opinion; i.e., the Ten Commandments from our courthouses, prayer in our schools, the Pledge of Allegiance from our public gatherings, and more.

(It is worth noting here that our own City of Cayce still opens public meetings with our Pledge and a prayer. I commend you for that.)

Christ Himself told us that following Him would be a difficult road and that we would be attacked relentlessly from all sides, but it is our Great Commission to stand strong and carry His banner to all the world. How do we reach around the world when we can't even stand up to the pressures from around our own community?

I say it is time for us as Christians to take a stand. If not us, who; if not now, when?

## CONCERNS FOR CITY OF CAYCE

THE MAJORITY OF THE MEMBERS OF THE EDENWOOD GARDEN CLUB HAVE LIVED IN THE CITY WELL OVER 40 YEARS AND IN THE EDENWOOD NEIGHBORHOOD FROM 2 YEARS TO 50 YEARS. UPON MOVING TO CAYCE SOME 50 YEARS AGO IT WAS A THRIVING LITTLE CITY AND BY THE MOST PART WELL KEPT. OVER THE PAST FEW YEARS WE HAVE SEEN IT BEGAN TO DETERIORATE TO THE EXTENT THAT, I AM TOLD, 65% OF THE HOMES ARE RENTED. WHAT CAN WE CONTRIBUTE THIS TO? THE ECONOMY, THE PEOPLE WHO NOW LIVE HERE, PEOPLE GETTING OLDER OR ALL OF THE ABOVE. IT IS OUR BELIEF THAT IF WE DO NOT DO SOMETHING NOW IT WILL ONLY GET WORSE AND PRETTY SOON CAYCE WILL BECOMER A RUN DOWN CITY OR SLUM WHERE NO ONE WANTS TO LIVE. IT IS A KNOWN FACT THAT PEOPLE WHO RENT DO NOT TAKE AS MUCH INTEREST IN THE CITY IN WHICH THEY LIVE LET ALONE THE HOME, STREET OR NEIGHBORHOOD. WITH OUR PROXIMITY TO THE CITY OF COLUMBIA AND THE VAST HISTORY THAT CAYCE HAS WITH THE DEVELOPMENT OF THIS AREA AND AS WE SEE THE UNIVERSITY OF SOUTH CAROLINA GROWING TOWARDS CAYCE - WEST COLUMBIA WHAT DO WE NEED TO DO TO TURN AROUND OUR CITY AND NEIGHBORHOODS.

WHEN I MOVED TO CAYCE SOME 50 YEARS AGO I WAS SEEING THE SHANDON NEIGHBORHOOD GO DOWN HILL - PARKED CARS ALL OVER YARDS, HOMES OVERGROWN, EMPTY HOMES, MULTIPLE STUDENT LIVING IN HOMES THAT HAD BEEN TURNED INTO APARTMENTS, OLD HOMES UNPAINTED, FLAGS HANGING IN WINDOWS INSTEAD OF CURTAINS AND GARBAGE CANS IN FRONT YARDS SOMETIMES RUNNING OVER. CONCERNED CITIZENS IN THAT NEIGHBOREHOOD GOT TOGETHER AND REQUESTED THAT THE CITY MAKE SOME ORDINANCES TO STOP WHAT WAS GOING ON AND PUT SOME REGULATIONS ON RENTAL OWNERS. A TURNAROUND DID NOT HAPPEN OVER NIGHT BUT IT WAS A BEGINNING. AS YARDS WERE CLEANED UP, SHUBBERY CUT, HOUSES PAINTED AND CARS NO LONGER PARKED ALL OVER THE YARDS AND A LIMIT TO THE NUMBER OF UNRELATED PEOPLE WHO COULD LIVE IN ONE APARTMENT, IT BEGAN TO LOOK LIKE A PLACE WHERE FAMILIES WOULD LIKE TO RAISE THEIR CHILDREN. HOME VALUES BEGAN TO GO UP, NEW PEOPLE BEGAN TO MOVE IN AND STREET BY STREET CHANGES BEGAN TO TAKE PLACE. SHANDON IS NOW A THRIVING OLD/NEW NEIGHBORHOOD. THIS CAN HAPPEN TO THE CITY OF CAYCE. WE CAN NO LONGER PUT OUR HEADS IN THE SAND. ALL OF WHAT HAPPENED TO SHANDON IS HAPPENING TO US AND WE CAN TURN ALL OF THIS AROUND BUT IT WILL TAKE WORK AND VIGILANCE. VIGILANCE BY CITIZENS WHO LOVE AND LIVE IN THE CITY OF CAYCE, VIGILANCE BY CITY COUNCIL, VIGILANCE BY THE MAYOR OF CAYCE, VIGILANCE BY THE MEMBERS OF DIFFERENT ORGANIZATIONS IN CAYCE AND MOST OF ALL THE CAYCE CITY CODE ENFORCERS.

I HAVE SITED SHANDON AS AN EXAMPLE BUT THE SAME THING IS HAPPENING IN COTTONTOWN AND OTHER AREAS IN THE CITY OF COLUMBIA. ARE WE TO STANDBY

CONCERNS FOR CITY OF CAYCE

WE THE UNDERSIGNED AGREE THAT WE WILL BE A VITAL PART  
OF HELPING OUR CITY TO BECOME A MORE BEAUTIFUL PLACE  
TO LIVE, RAISE A FAMILY AND GROW TO ITS POTENTIAL -  
FEBRUARY, 2015

