

City of Cayce
Public Hearings and Regular Council Meeting
Wednesday, June 21, 2023

A Public Hearing was held this evening at 5:00 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, Utility Director Betsy Catchings 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 Public Hearing in accordance with the FOIA. Ms. Corder confirmed they were notified.

I. Opening Statement

Mayor Partin stated that Pursuant to Section 6-1-80 and Section 6-1-330 of the South Carolina Code of Laws, public notice was hereby given that the City of Cayce City Council would hold a Public Hearing on the proposed budget and establishment of a new fee and fee amounts to be adopted as part of the Budget Ordinance. She stated that the 23-24 fiscal year revenues were \$19,731,716 and the expenses were \$19,731,716. She stated that the budget within the agenda packet and that was detailed in the flyers that citizens received on their roll carts was what Council was acting on that night. She stated that Council looked forward to hearing from the public and one did not need to sign up to speak during the public hearing. Mayor Partin asked anyone who would like to come forward and speak to please do so.

II. Public Testimony

There was not any public testimony.

III. Close Hearing

There was not any public testimony therefore Mayor Partin closed the hearing.

I. Opening Statement

Mayor Partin stated that pursuant to Section 5-15-50 of the South Carolina Code of Laws, public notice was hereby given that the City of Cayce City Council would hold a Public Hearing on the proposed new municipal ward/district lines for the election of Council members reflecting population changes brought forth by 2020 census data. Redistricting is the process of redrawing the district lines from which public

officials are elected and typically takes place after each census to accommodate population changes over the previous decade. It is in the interest of Cayce to establish new municipal ward or district lines reflecting the changes in population as shown by the Census to provide for fair and equal representation of population to comply with the United States Constitution and Voting Rights Act of 1965. Redistricting affects all jurisdictions that have single-member elections and seeks to equalize population among those districts. Redistricting is to be accomplished prior to the start of the next election's filing period.

Mayor Partin stated that Mr. Adam DeMars with the South Carolina Office of Revenue and Fiscal Affairs was in attendance to speak on the process of redistricting and public testimony would be open after his presentation.

Mr. DeMars stated that he appreciated having the opportunity to speak on the process of redistricting as a whole. He stated that the Revenue and Fiscal Affairs Office had consistently over the course of many decades assisted local governments and municipalities with the redistricting process. He stated that it was a rather easy process to go through however, there were a lot of individual steps in order to meet the criteria affiliated with the process. He stated that the Office of Revenue and Fiscal Affairs was a neutral party agency which looked at data and statistics as a whole and tried not to use any individual local level knowledge in order to create the redistricting drafts. Mr. DeMars stated that from his office's perspective, they were drafts only, and were meant to start conversation amongst the Council members themselves and amongst the community members as a whole. He stated that his office also helped to ensure that when the redistricting plans come to fruition, and when they were voted upon, that those datasets also came into the Office of Revenue and Fiscal Affairs, and they then helped with the State Election Commission, with respect to making sure that when the voters go to the polling locations that they had the proper ballots. He stated that one of the things the RFA did was to create a benchmark report which had a detailed wealth of information with respect to it.

Mr. DeMars stated that one of the items he wanted to bring to everyone's attention was something called differential privacy. He stated that differential privacy was set up by the Federal government, specifically the Census Bureau, and it tried to make it a little bit more difficult for individuals to figure out where people live within specific census blocks. He stated that specific census blocks have unique geometries in and amongst themselves however, differential privacy inserts, "noise into the data." He stated that meant for example if it was known for a fact that one block within the City of Cayce had 100 people, the census block itself may show 70 people, the other 30 people's information was dispersed amongst the blocks that were coinciding. He stated that one of the things that it makes very, very difficult within this process was to ensure that the differential privacy and the number of individuals were all accounted for within the City itself. Mr. DeMars stated that one item that did help with the entire process was the RFA submitted the City boundaries to the Census Bureau prior to that differential

privacy being added or "noise" added to that data itself, therefore, they did know that whoever had filled out the census itself was counted within the city limits at that time.

Mr. DeMars stated that the RFA used the Department of Justice's racial breakdowns with respect to NH DOJ Black, which is Non-Hispanic Department of Justice's Black definition. He stated that they also equated that to the Hispanic community with respect to the numbers that were affiliated with it, and they broke things down with the Hispanic community, the black community, the white community, and then grouped the number of it's called other with respect to the Pacific Islanders. He stated that in developing plans, RFA regulations followed the recommended constitutional and statutory provisions specific to the one person one vote within the equal protection clause of the 14th amendment. He stated that in addition, the Voting Rights Act, primarily section two, with respect to the interest of special racial minority population, the RFA also takes into consideration any of those individual applicable court decisions and State and Federal law. Mr. DeMars stated that however, RFA took that data and added their own principles to it also. He stated that some of those principles were making sure that the wards or districts were drawn contiguously so there were no gaps. He stated that they also tried to minimize the division of voting precincts which helped with respect to the local Voter Registration Office within Lexington County. He stated that districts or wards also must be as geographically compact as humanly possible. Mr. DeMars stated that they understood that within a municipality this caused challenges solely for the fact that there were doughnut hole polygons within the City itself that were unincorporated. He stated that districts or ward's would also be drawn when feasible with respect to communities of interests. He stated that if the RFA got a community of interest, per individual citizen, that wanted to keep that community of interest within one district, they tried to accommodate that as best as humanly possible and in addition, tried to make sure that they kept in consideration court decisions.

Mr. DeMars stated that the City of Cayce's population had increased 10% from 2010 to 2020, growing from 12,528 to 13,781. He stated that because of this, the individual districts had changed. He stated in order to create benchmark reports the RFA takes the current Council districts and mash that data along with the census data in order to create the deviation. He stated that the deviation was the total number of people within the City itself divided by the number of districts and each one of those was then calculated, basically on an over-under. He stated that the highest deviation plus the lowest deviation then was considered the overall deviation. Mr. DeMars stated that if that number was above 10%, statutorily, one would have to then redistrict. He stated that the City a Cayce was at 54.74% and Districts One and Two were the two (2) individual districts that needed to make up population. He stated that District One had an under population count of 66 people and District Two had an under count of 988 people. He stated that however, District Three and District Four had overages with respect to those populations, 157 and 898 respectively. He stated that the RFA recommended that during the entire process Council create public meetings to create the new district plans.

Mr. DeMars stated that the RFA tried to make as minimal changes to the populations as possible. He stated that however, when there were variations within each one of the districts and one was trying to balance out districts to equal population, there were challenges to try to keep that to within 5% which was 2% plus or minus of that equal population and the equal population the RFA was attempting to meet would be 3,445 people per district. He stated that with respect to the Black population, District Two within RFA's benchmark report had a built Black population of 54.25% however, that individual district also needed to increase by 988 people. He stated that therefore, sometimes there were going to be fluctuations within those numbers.

Mr. DeMars stated that an additional item to note as part of the entire process was the RFA tried if the benchmark basically stated there was a Black population of above 50%, they wanted to try to keep it there. He stated that however, making sure and balancing out those populations was somewhat challenging to do. He stated that the RFA recommended that Council and wards be drawn contiguously and the draft map the RFA drafted for the City attempted to do that. He stated that he thought they did that very well. He stated that the other items to take into consideration was the minimization of voter precinct splits again, and the RFA took that into consideration with respect to the draft plan itself. He stated that wards needed to be drawn geographically compact when practical and they attempted to do that, and he thought they did a very good job of doing that. He stated that they also tried to take into consideration the majority minority population with respect to Section Two of the Voting Rights Act. Mr. DeMars stated that however, that was one item that did not make the cut because they were slightly below the 50% at 47%. He stated that the RFA also tried to keep that deviation of roughly 5% and in the draft they created for the Council itself was 1.75%. He stated that District One to District Two had roughly a 59-person change, District Two to District Four had roughly a 238 people change, District Four to District Three had roughly a 656 people change and District Three to District Two had roughly a 787 person change. Mr. DeMars stated that there were a few other blocks that changed that did not have any population with respect to that. He stated that there was not a mandate by the State to adopt the draft map that the RFA created. He stated that the idea was to abide by the rules and regulations that Revenue and Fiscal Affairs needed to create in order to make them a neutral party as possible and they tried to do that with statistics and statistics only.

Council Member Carter asked if the 13,781 population was based on the census. Mr. DeMars stated that was correct. He stated that one of the big challenges was how does one know that the Census data was correct. He stated that unfortunately, the data they received was provided by the Federal government and in his opinion, it was a disservice not only to your city, your state, your county but your federal government, if one did not fill out their Census. He stated that it had to be done to get equal population so that way you know who was growing and who was not, and how some of that Federal funding was then dispersed amongst the 50 States as a whole.

Council Member James stated as the RFA looked at the maps, some might question why they went up in one area and around another to just pull certain data and the answer to that was it was all part of the RFA algorithms and process. He stated that it was nothing staff, or a Council member, or anyone else had any input into. Mr. DeMars stated that was correct, no one had any input. Mayor Partin asked Council Member Carter if he thought the numbers were way off. He stated that he thought the City's population was closer to 15,000 but he thought the City had a good return on the Census. Mr. DeMars stated another big challenge was the fact that Census blocks did not follow parcel boundaries. He stated that the RFA could not split a census block based on parcel boundaries. He stated that municipalities could annex and when one had annexed over the course of the past four (4) years, because that data was submitted to the Census in 2019, one of the things that the RFA allowed municipalities to do was when the RFA takes the municipalities current municipal boundary, they overlay that on the census blocks. He stated that if there were census blocks that were 40-50% more, meaning the municipality covers 50% of that census block, they allow the municipality to then choose to either accept that entire census block or not choose to take that census block to create a more realistic population of the City as it stands currently. He stated that they had not found anything in law that says that municipalities cannot do that.

Mayor Pro Tem Jenkins asked if there was any way to identify who turned in their Census report and who did not. Mr. DeMars stated that only the US Census had access to that data. He stated that states and local municipalities could challenge the Census and there was a program that actually allowed people to be able to do that. He stated that the RFA would not do that for anyone but would provide one the tools to be able to do that. Mayor Partin asked if Council and staff thought that the numbers were that different should they look into that. Ms. Hegler stated that she did not think the numbers were great enough but she did not know what could be done if they were. She stated that Mr. DeMars stated that it was a disservice because one could only go with the numbers they were given. Mr. DeMars stated that the process of asking the Census to do recounts was a very lengthy process. He stated that the City had an election coming up and 99.9% of the time, it was ideal to get redistricting done prior to that happening. He stated that he did not know how long it would take for the Census Bureau to go through, and hopefully refine the numbers but it could be one of those things that dragged out for quite some time. He stated that there were other pieces of data called the ACS data set, which stood for the American Community Surveys and it basically gives estimations on population and sometimes those estimations were pretty solid, but other times they were not. He stated that in his personal and professional opinion, the City should use the data that was given in 2020, based off of that Census data and merge that data in with the current City districts with the City's current annexations over the course of roughly the past four (4) years. He stated that the RFA worked to get everybody down to almost a one person, one vote to balance out everyone's district so everyone had an equal voice at the end of the day.

IV. Public Testimony

There was not any public testimony.

V. Close Hearing

There was not any public testimony therefore Mayor Partin closed the hearing.

The Council Meeting immediately followed the Public Hearings at 5:29 p.m. 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, Utility Director Betsy Catchings 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.

Mayor Partin called the meeting to order and Council Member James gave the invocation. Mayor Partin led the assembly in the Pledge of Allegiance.

Public Comment Regarding Items on the Agenda

No one signed up for Public Comment.

Presentation

- A. Presentation by Lakesha Dunbar, Spartanburg Office Director for Toole Design, Regarding the Central Midlands Council of Government Bike Share Expansion Feasibility Study

Ms. Dunbar stated that she was the Spartanburg Office Director and Senior Planner and Project Manager for the Bike Share Expansion Feasibility Study. She stated that Toole Design was hired by the Central Midlands Council of Government to conduct the study for the City of Columbia, the City of Cayce, the City of West Columbia and the Town of Springdale. She stated that the purpose of the study was to review the existing work for consideration of expansion in the City of Columbia. She stated that BlueCross BlueShield was the current sponsor and they were interested in consideration of continuing sponsoring the existing system and expansion of the existing system. She stated that the existing program was overseen by the City of Columbia and Blue Cross Blue Shield of South Carolina sponsored a system with initial capital for the purchase of the stations and bikes and ongoing funding for program operations. Ms. Dunbar stated that the Comet also provided additional capital through

an FTA grant process to add docks and stations. She stated that the current vendor's contract ended at the end of June and they were responsible for the operation, maintenance and promotion of the program and they also provided the equipment.

Ms. Dunbar stated that for the study, they did some system analysis and looked at the existing system and identified early action projects. She stated that BlueCross BlueShield of South Carolina was a dock bike share system with a mix of regular bikes and electric bikes. She stated that they currently had 18 stations located throughout the City of Columbia and the study focused on the top five (5) and top bottom performing stations as their other analysis to look at considerations of optimization of the system. She stated that for the local context, they looked at demographic information and utilized population information and looked at where people reside and where they work to identify opportunities for connectivity. Ms. Dunbar stated that they also did some network development, where they looked at how they could fill in gaps for last mile connections, particularly between the bike share stations, transit stations, and identify locations with connectivity between bike facilities and sidewalk facilities. She stated that they also identified regional coordination, where they looked at how they could coordinate the jurisdictions on these systems. She stated that the expansion of the current system and looking at how the bikes would be utilized across the river, the systems need to be compatible and need to be able to work and operate together. She stated that lastly, they identified two (2) early action projects for each jurisdiction to include an infrastructure project, and an event type pilot project. She stated that they were looking at either bringing in a vendor or just hosting some type of fair or event to pilot and kind of show how the bike share system operates.

Ms. Dunbar stated that as part of the study, they looked at public and stakeholder engagement and worked with PEQ planners for environmental quality. She stated that they had just under 450 total contacts that included online interactive math and an online survey. She stated that they also provided paper surveys and got responses that way. She stated that they did pop up events where they went to the Riverwalk and attended Benedict College and Soda City events to engage with the public. She stated they also did focus group with University of South Carolina students and held stakeholder interviews with City staff, Blue Cross Blue Shield, the Comet, and the vendor for the bikes. Ms. Dunbar stated that one of the questions they asked as part of the survey was would they support the expansion and the response they received for the City of Cayce respondents was an 87% yes. She stated that the 87% respondents said that they would support an expansion of the bike share system into the City of Cayce compared to the other jurisdictions, 91% for the City of Columbia, 88% for West Columbia, and 66% for the Town Springdale.

Ms. Dunbar stated that the expansion scenarios they looked at, the main objective was to try to identify a contiguous expansion system therefore they did not identify exact locations for new stations. She stated that they only identified areas to keep the existing system and connectivity to expansion. She stated that they looked at

the top five (5) performing locations by relocating docks from the lower performing stations within the City of Columbia, and also recommended expanding up to seven (7) new stations for the City of Columbia. She stated that their recommendation for the Cayce and West Columbia area was to add up to five (5) new stations with four (4) stations in the City of West Columbia and one (1) station in the City of Cayce. She stated that they did not have a recommendation for the Town of Springdale because they were trying to keep the system contiguous and Springdale was too separated to maintain a contiguous system. She stated that the proposed location for the City of Cayce would likely be near the Three Rivers Greenway where it connects near the Lyle Street connection. Ms. Dunbar stated that they identified locations for destinations factoring in key attractions, and where people would try to connect to. She stated that they also looked at some financial planning opportunities and identified what the capital costs and operating costs would be in the hopes there would be some cost reductions which was more specifically for the City of Columbia with the optimization of their existing system. Ms. Dunbar stated that they identified some projected revenues and also estimated the capital cost for the City of Cayce to be about \$47,000, \$17,000 for the annual operating costs and a projection of about \$5,000 for revenue from the system for the City. She stated that would include 10 docking stations per station.

Ms. Dunbar stated that the current vendor for the existing network contract ends at the end of June and the City of Columbia was putting out a request for information to identify other vendors who might be able to provide the services they were looking for. She stated that in looking into network development, they looked at the 2018 West Metro Bike and Pedestrian Plan to identify what the current existing and proposed bicycle and pedestrian facilities were. She stated that they built upon that to identify the gaps, and to look at how they could make those connections. She stated for the early action projects, they identified the intersection of M Avenue and State Street for the City of Cayce. She stated that the intent there was to improve pedestrian access to the end up WMJ Cayce Memorial Park and the Cayce Riverwalk and connectivity for the surrounding residents. She stated that it would be a high visibility crosswalk with the addition of ADA ramps.

Ms. Dunbar stated that the plan had been presented to Blue Cross Blue Shield and they were waiting for them to review it to see if they wanted to continue sponsoring the existing system and/or the expansion of the system. She stated that even if BlueCross BlueShield did continue sponsoring and sponsored the expansion, it was still recommended that the City consider additional sponsors to help deflect some of those costs that were estimated in the plan. She stated that it was also recommended utilizing the plan in looking at opportunities to apply for grant funding since there were Federal funds that might be available. Ms. Dunbar stated that the study also suggested working either through the COG or with the COG to identify Federal funds that could be used to apply for to help implement the project.

Council Member James asked if the proposed locations were based on surveys or population in that area. Ms. Dunbar stated that they were based on surveys they got through public engagement and also on the demographic information. Mayor Pro Tem Jenkins asked if a bike had to be returned to the same station that it was gotten from. Ms. Dunbar stated that one could get a bike in Cayce and ride it to West Columbia and leave it at one of the locations there. She stated that the vendor, over time, re-allocated the bikes to make sure there were enough bikes back at each location. Mayor Pro Tem Jenkins asked if the docking station was being proposed for M Avenue and State Street. Ms. Dunbar stated that location was an early action concept project that would upgrade that intersection for pedestrian crossings with high visibility crossings and ADA ramps and would give additional access for pedestrians and cyclists who may use that intersection. She stated that the location they were recommending for the docking station was near Lyles Street at the Riverwalk trailhead. Council Member Sox asked if one could ride one of the bikes outside of the service area. Ms. Dunbar stated it would depend on how the City wanted to have it set up. She stated that it was possible to have it so bikes could go outside of a certain boundary. She stated that the bikes would have trackers on them and you could set up a boundary to keep the bikes within a certain area so they would automatically shut off if they were taken outside of the boundary. Ms. Dunbar stated that another option was the vendor would make sure that they bikes get placed back in the correct location. Council Member Sox stated that it was curious that a lot of State Street on the City of Cayce's side was not included in the pink highlighted area. Mayor Partin asked for clarification on the sponsorship. She stated that Ms. Dunbar mentioned that Blue Cross Blue Shield was the original sponsor and they were hoping they would sponsor again but Ms. Dunbar also mentioned the City putting in dollars and finding grants. Ms. Dunbar stated that they did not know if the sponsorship would be expanded into the City of Cayce. She stated that the study was to provide data to Blue Cross Blue Shield to help inform them on whether or not they wanted to expand into additional jurisdictions. She stated that it was purely up to Blue Cross Blue Shield to make that decision but she was proposing that the City use the plan to study the information provided to help identify other opportunities for funding.

Ms. Dunbar stated that it would behooves the City, if they were interested in implementing the system, to find a way to identify additional sponsors. She stated that Blue Cross Blue Shield currently had their logos on the bikes but there was an option to change how the bikes were branded with another sponsor's logo. Council Member Carter asked if they had experience with this happening in other municipalities other than the City of Columbia. Ms. Dunbar stated that the study did identify other cities that they had worked with and cities they had studied as to how they were working.

B. Recognition of City Employees Kelly McMullen and Ben Wright for Graduating from the South Carolina Certified Public Manager Program

Mayor Partin asked Ms. Kelly McMullen and Mr. Ben Wright to join her at the podium. She stated that City Treasurer Kelly McMullen and Superintendent of Water

Distribution Ben Wright recently graduated from the South Carolina Certified Public Manager Program which was a nationally recognized professional development program for supervisors or managers in government. She stated that it was an 18-month advanced leadership course through the state of South Carolina that encouraged innovative management practices, and high ethical standards. Program participants attend workshops and field activities, complete a variety of application activities and projects and are tested on skills and knowledge learned. She stated that Ms. McMullen and Mr. Wright were honored to be selected to attend the Certified Public Management Program and appreciative of the experience and training that they received. Ms. McMullen stated that she and Mr. Wright were truly blessed to be chosen and it was a great experience.

Ordinances

- A. Discussion and Approval of Ordinance 2023-06 to Adopt an Annual Budget with included ARPA Allocations, Levy a Property Tax, and Provide Revenue for the City of Cayce for the Fiscal Year Ending June 30, 2024, and To Adopt and Establish Certain New Fees and Charges with Amounts – Second Reading

Ms. Hegler stated that staff was proposing for Council Second Reading of the budget and she would go into detail for the public as to how staff did that. She stated that the General Fund budget was currently balanced at \$19,731,716 and she knew Council was very conscious of impacts of budget to their citizens. She stated that the revenues did not include a millage increase and different from Council's White Paper in the agenda packet, but something staff had worked on it but was not included in what was before Council, which was a \$2 per month increase in sanitation fees. She stated that was proposed during the First Reading of the budget but again, knowing that Council was conscious of their impacts to the City's citizens as staff was as well, staff budgeted that with a transfer from the General Fund unassigned balance. Ms. Hegler stated that if that was Council's will, that would equate to \$115,000 in a transfer. She stated that the revenues included a \$2.1 million transfer from the Utility Fund for indirect costs, \$1.2 million funds in hospitality tax revenues, a conservative estimate in accommodations taxes and \$755,000 from Lexington School District Two for School Resource Officers, some of which were funded at 100%. Ms. Hegler stated that it also included a \$500,000 lease revenue which was also different from First Reading. She stated that during First Reading, staff had estimated that amount would purchase 10 new cars but were actually going to be requesting 11 vehicles for the same amount still budgeted. She stated that revenues also included a 5% increase in construction related permits and fees per the rising CPI.

Ms. Hegler stated that the expenditures for the General Fund included capital totaling \$508,500 which included 11 vehicles and a dedicated laptop computer for automated services and fleet management. She stated that it also included hospitality

tax purchases totaling \$70,000 which would be used to purchase a rugged terrain vehicle to be used in the Riverwalk, a dump trailer and grabber bucket for the skid loader which would also help in cleaning the Riverwalk and an electronic signboard which would help the City get information out to its residents. She stated that also included in the expenditures was one (1) new full-time employee for the Planning and Development Department to help with permits, business license collections and help them assisting customers at the front counter. Ms. Hegler stated that included in the expenditures was taking the IT part-time employee that was approved last year and converting that to a full-time position, since staff was having a hard time filling that position and thought part of that was because it was not a full-time position.

Ms. Hegler stated that the General Fund budget included a 4% cost of living increase for the General Fund employees that totaled \$447,000. She stated that it also included insurance increases and retirement. She stated that PEBA increased 3.7% after increasing 18% last year. She stated that the current General Fund budget was balanced and it had risen approximately \$2.73 million from last fiscal year due to staff's aggressive pursuit of grants and their successful writing of those grants. She stated that this dedication had resulted in grant funding for next year in the amount of \$2.25 million or 81% of the budget increase. Ms. Hegler stated that the City's operating revenues had also increased about \$432,000 due to the rise in property assessment values after last year's reassessment. She stated that she made that note because that was a great success of the City's but it might not happen year after year depending on how the grant environment worked out for the City.

Ms. Hegler stated that the Utility Fund budget was currently balanced at \$37,803,723 and there was no rate increase for water or sewer being proposed. She stated that it did include funding a utility rate study, online bill presentment and capital expenditures totaling \$292,000. She stated that was coming from the City's 1916 wastewater reserve fund and included in that was a poly blend system for a centrifuge membrane upgrades, an anaerobic mixer, and a pump. She stated that it also included two (2) new full-time employees - a new electrician, as well as a Water Treatment Plant trainee employee and included a 4% cost of living increase for the Utility employees that totaled \$225,000 and included 15% debt coverage for the City's Utility Fund debt. Ms. Hegler stated that the expenditures included payments for all of the City's bonds, and bonds 2002 and 2016A would be paid in full in the upcoming year. She stated also included was a 100% transfer of the user fees for online credit card purchases to the customer as well as the same insurance increases she mentioned for the General Fund. She stated that the current balanced Utility Fund budget had risen approximately \$1.13 million from fiscal year 2022-23 and that increase was due to the use of reserve transfers in the amount of \$292,000 that were referenced earlier from the 1916 capital account. She stated that it also increased because of the exhaustion of the Town of Lexington's deferred capacity credit for their wastewater services agreement with the City.

Ms. Hegler stated that also included in the budget were proposed uses and allocations for the City's second tranche of the ARPA dollars which was done last year as well. She stated that some of the proposed uses were continued security upgrades for the IT department and IT services, a new awning for the water department's drive thru, replacement of all handheld radios for the Police Department and a license plate reader for the Police Department. She stated also proposed were General Fund capital replacement for computers, a Fire Department station alerting system, a Fire Department mobile data terminal, an exhaust removal system for the Fire Department, software for the business license and permitting center which would also help Code Enforcement keep better track of things. Ms. Hegler stated that staff was proposing a code rewrite. She stated that the City recently adopted its Comprehensive Plan and staff thought this was a good time to rewrite the code. She stated that kitchen upgrades for the Parks Department, jury box upgrades for the courtroom, meters and meter reading equipment for the Utility Billing department and a water system chlorination improvement were included as well. A high service pump, Water Treatment Plant valves and equipment, wastewater pumping improvements as well as upgrades to Pump Station One which was the wastewater pump most all of the City's services go through were included in the proposed uses as well. She stated that the tranche two disbursement was \$3.4 million and \$887,000 of that were proposed for General Fund projects and \$2.6 for the Utility Fund.

Ms. Hegler stated that the City had a slight amount of remaining funds from tranche one of ARPA funding that equaled \$67,000, which staff was recommending putting towards better timekeeping software. She stated that she would also review the City's Master Fee Schedule because it would need to be adopted along with the budget. She stated that according to the consumer price index, the National Inflation Rate was currently at 8% and the City was feeling that hit to all its services and the costs for doing services was going up. She stated that staff was requesting increases to certain services, user fees and charges to keep pace with that rising cost. She stated to disregard the proposal for a \$2 per month increase for a sanitation fee, since staff managed to balance the budget without that increase. She stated that staff did propose increasing the Police special duty pay from \$45 to \$55 which was 100% passed on to the user requesting the special duty and all credit card fees be based on the vendors pricing and paid by the user instead of the City supplementing that. She stated that staff was proposing a variety of new fees for different businesses, to include stickers for food truck inspections, a charitable solicitation permit and a sticker for coin operated machines. Ms. Hegler stated that staff was also requesting within the new Master Fee Schedule to transfer any stormwater and development related fees that happened on the Richland County side of the City's jurisdiction to the developer there.

Council Member James made a motion to approve the annual budget and Master Fees Schedule with the recommended amendments. Council Member Sox seconded the motion. Council Member Carter stated that he wanted to comment on the funds being proposed to transfer out of the fund balance. He stated that typically he paid

close attention to a fund balance but thanks to the City's administration staff and Ms. McMullen and her staff Council had been handed a wonderful budget. He stated that this was his eighth budget and they had always been good budgets that took care of Council's constituents and City staff. He stated that the City had built up a manageable and healthy fund balance so transferring funds out of it would not hurt the City. Council Member Sox asked if staff was confident that none of the ARPA funds would be needed to match the stormwater grant. Ms. Hegler stated that the City was making great progress and staff was pretty confident that the DOT would come through with their share. She stated that if they did not come through, it would have to be addressed in a different manner. Council Member James stated that the budget was one of the very most important things that the citizens vote their Council Members for. He stated that if anyone thought the budget came from the City Manager and Council just voted on it, they would be wrong. He stated that the budget process went back several months to when the City Manager and the leadership of the City met with Council to discuss with Council what their needs were. He stated that budget workshop was open to the public. He stated that during that time, Council again, regained confidence that the leadership of the City did so very much to keep the City moving every single day and staff was very passionate about what they did. Council Member James stated that many times staff did more with even less. He stated that Council recognized that they dealt with people in the City that were everything from a fixed income to an extremely discretionary income, but where they balanced the budget affected everybody. He stated that it was important that Council balanced a budget that fulfilled what he liked to call an all-service city. He stated that Mayor Partin said a great deal of the time that the City offered everything. He stated that the citizens had become reliant upon that therefore Council had to fund that. Council Member James stated it was important that Council cared well for the City employees and made sure that they had a competitive salary so they stay with the City and that they were trained and competent. He stated those were the top two (2) things Council took into consideration.

Council Member James stated that when the City Manager brought the budget to Council it was not at the percentage that Council wanted it to be able to give a cost of living to the employees, but administration staff quickly worked with Council so they could raise the cost of living. He stated that Mayor Partin and Council and the City Manager were working hard to be able to improve the parks and recreation in the City. He stated that the City had a younger population that was starting to come back into the City and Council and staff were responding accordingly to make sure that what they were doing was going to be something that they would appreciate. He stated that Council heard from the City's citizens to make sure that their property value stayed, maintained or grew. He stated that came in the line of code enforcement and the City Manager spoke about being able to give funding back to code enforcement business initiatives to continue to grow that. Council Member James stated that the City was very transparent. He stated that the City Manager detailed where the monies were going from 11 brand new patrol cars, down to new seats for the jury box. He stated that there were no hidden fees or hidden agendas. He stated that the leadership of the Mayor and

the other members of Council and the City Manager of trying to again dig so deep to where they did not have to put a \$2 impact upon the citizens per month. He stated that he was proud to be able to make the motion for the budget because he knew that the monies were going in the right way.

Mayor Pro Tem Jenkins stated that he would like to get a report on what area and items the ARPA funds were being spent on. He stated that it needed to be spread all over the City. Mayor Partin stated that when she was first elected the City did not have a fund balance. She stated that they had worked hard to make sure that the City's citizens were not in jeopardy when there were things that had to be taken care of. Mayor Partin called the question which was unanimously approved by roll call vote.

B. Discussion and Approval of Ordinance 2023-07 Amending City Code Section 40- 4 ("Account Setup and Transaction Fees") and Section 40-119 ("Fees Related to Fats, Oils and Grease") - Second Reading

Ms. Hegler stated that Ordinance 2023-07 as well as the following three (3) Ordinances were all related to fee changes, fee proposals, scrivener errors and things staff had to address in individual Ordinances to match the Master Fee Schedule as well as some changes throughout the year.

Council Member James made a motion to approve Ordinance 2023-07. Council Member Sox seconded the motion which was unanimously approved by roll call vote.

C. Discussion and Approval of Ordinance 2023-08 Amending City Code Section 40- 34 ("Utility Billing") - Second Reading

Council Member Carter made a motion to approve Ordinance 2023-08. Mayor Pro Tem Jenkins seconded the motion which was unanimously approved by roll call vote.

D. Discussion and Approval of Ordinance 2023-09 Amending City Code Section 40- 67 ("Fire Hydrant Service Fee") - Second Reading

Council Member James made a motion to approve Ordinance 2023-09. Mayor Pro Tem Jenkins seconded the motion which was unanimously approved by roll call vote.

E. Discussion and Approval of Ordinance 2023-10 Amending City Code Section 40- 118 ("Sewer Rates") - Second Reading

Council Member Carter made a motion to approve Ordinance 2023-10. Council Member Sox seconded the motion which was unanimously approved by roll call vote.

- F. Discussion and Approval of Ordinance 2023-11 Amending the Zoning Map and Rezoning a Portion of Property (Tax Map Number 006796-02-009(P)) Located on Platt Springs Road between 3949 and 3955 Platt Springs Road from C-4 to M-1 - Second Reading

Council Member James made a motion to approve Ordinance 2023-11. Council Member Sox seconded the motion which was unanimously approved by roll call vote.

- G. 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 – First Reading

Ms. Hegler stated that in March 2023, Council adopted a Resolution that would outline the standards that Revenue and Fiscal Affairs Office then subsequently used to prepare the draft map that was in Council's agenda packet. She stated that Mayor Partin mentioned that staff had reached out to the directly affected property owners that were in the proposed change districts by a mailed letter. She stated that the letters indicated what district they were currently in, where they were proposed to move to, as well as reminded them of that night's Council Meeting and encouraged them to reach out to staff should they have any questions.

Mayor Pro Tem Jenkins made a motion to approve Ordinance 2023-12. Council Member Sox seconded the motion. Council Member Carter stated that the proposed district changes included a part of a neighborhood called Forest Park located probably from the west side of Dogwood from Haynes back towards Taylor Road. He stated that it seemed unique that it was just one side of the street and was not really neighbors. Council Member Carter stated that there was a street but it could be confusing and asked Ms. Hegler to check on it for him. Mayor Partin asked Council Member Carter to detail where he was talking about. He stated that if one went down Taylor Road and turned right on Dogwood, Edenwood would be on the left and he thought it was called Dogwood Court and it not only included two (2) houses on Dogwood but some of the homes behind them were on Oak Lane which he did not understand why they were included. Mayor Partin called the question which was unanimously approved by roll call vote.

Items for Discussion and Possible Approval

- A. Discussion and Approval of Intergovernmental Cooperative Agreement and Urban Entitlement Resolution

Ms. Hegler stated that Lexington County was designated with the urban county status, which allowed them to receive funding each year from CDBG and HOME for projects in the county and they were responsible for administering that program. She

stated that what was before Council was a renewal of an IGA that the City had with the County for years. She stated that the agreement's term, which were incorrect on the White Paper, was for the years 2023 to 2025. She stated that the IGA afforded the City the right not to participate after three years, but the City had been a part of the program since at least 2004. She stated that it was a renewal of the agreement, as well as adoption of a Resolution stating that the City wanted to be a part of the program with Lexington County. Ms. Hegler stated that Richland County had their own program and the City participated with them on that side of the river.

Council Member Carter made a motion to approve the intergovernmental cooperative agreement with Lexington County, authorize both the Mayor and the City Manager to sign the agreement and adopt the related urban entitlement Resolution so the City could continue to request funds through the County for those purposes. Council Member Sox seconded the motion which was unanimously approved by roll call vote.

B. Discussion and Approval of Bid Award for the Lloydwood Pump Station Generator

Ms. Hegler stated that funding in the amount of approximately \$72,278 had been awarded to the City through a FEMA Hazard Mitigation Grant and that grant money was allocated to purchase an emergency generator for the Lloydwood Sewer Pump Station. She stated that the project would include the purchase and installation of the generator as well as the construction of a concrete pad for the generator to sit on. She stated that the City was required to pay 10% of the total eligible costs which was estimated at approximately \$8,000 which would be funded through the Utility Department's current FY23 O&M budget. She stated that staff had located a 150 kilowatt Caterpillar generator from Blanchard Power Systems that met the City's specifications for this work. She stated that the generator was in stock and Blanchard was holding the price of \$65,300 plus tax for 30 days for the City to purchase. Ms. Hegler stated that if the generator could not be purchased it likely would go up and increase the time for it to be delivered. She stated that Council could waive the informal bid procedures as established by Ordinance when it was in the City's advantage to sole source in certain situations, particularly situations where not doing so would delay it.

Council Member Sox made a motion to waive the formal bid process and approve the purchase of the generator in the amount of \$65,200 plus tax from Blanchard Power Systems. Council Member Carter seconded the motion which was unanimously approved by roll call vote.

Committee Matters

A. Appointments
Beautification Foundation – One (1) Position

Events Committee – One (1) Position
Zoning Board of Appeals - One (1) Position

Council Member Sox made a motion to appoint Ms. Forest Ryan to the Beautification Foundation. Council Member Carter seconded the motion which was unanimously approved by roll call vote.

Mayor Partin stated that there was one (1) open position for the Events Committee and there were three (3) potential member applications. She stated that the next one in order of received would be Ms. Carrie Ridgway. Council Member James made a motion to appoint Ms. Ridgway to the Events Committee. Council Member Sox seconded the motion which was unanimously approved by roll call vote.

Mayor Partin stated that there was one (1) open position on the Board of Zoning Appeals and the City had a potential member application from Ms. Cindy Pedersen. Mayor Pro Tem Jenkins made a motion to appoint Ms. Pedersen to the Board. Mayor Partin stated she would second the motion to get it on the floor for discussion. Mayor Pro Tem Jenkins asked why no one wanted to vote for Ms. Pedersen. Ms. Corder stated that Ms. Pedersen had served on the Events Committee for at least 20 years and had always wanted to serve on the Zoning Board of Appeals. Mayor Pro Tem Jenkins asked if anyone ever had a problem with Ms. Pedersen. Ms. Corder stated no, not at all. She stated that over the years Ms. Pedersen had served as the Chairperson, Vice Chair and Secretary on the Events Committee. Mayor Pro Tem Jenkins stated if there was not an issue then why couldn't the motion get a second. Council Member James stated his reason for that was the Committee Appointment Report stated that Ms. Cindy Pedersen resigned from the Events Committee to fill an open position on the Zoning Board of Appeals and that had not been allowed in the past unless he was wrong with that and that someone would not step down after an unfilled term to take on another position. He stated that was the reason he stayed away from that. Mayor Partin stated that she was not sure she was following and asked Council Member James to explain again. Council Member James stated that this particular candidate did not fulfill their term on the Events Committee and they resigned from the Events Committee. Mayor Partin stated that was correct. She stated that her position had always been if citizens wanted to serve then the City wanted them to serve but she did not think it was fair for someone to serve on two (2) committees because there were people who wanted to serve that were not serving on one (1). She stated that the City currently had a lot of openings but she wanted to be mindful of not being on two (2) different committees and taking two (2) different positions. Mayor Partin stated that Ms. Pedersen resigned off of one to serve on another. She stated that she did not know if the City had ever held anyone to a term of appointment before letting a citizen volunteer to help make the City better. She stated that she did not recall ever having a discussion about someone having to finish out a term before they could apply for another committee. Council Member Carter stated that he could not recall. Council Member Sox stated that Council probably set the precedent when someone from a committee wanted to take the open

seat on Planning and put in an application and Council denied them as they still had to finish out their time on the Events Committee. He stated that he believed that had happened twice since he had been on Council. Mayor Partin stated that had never happened. She asked Ms. Corder if that had ever been the case. Ms. Corder stated that she thought Council was referring to Mr. Danny Creamer when he wanted to serve on the Planning Commission, but he was the Chairperson of the Events Committee. She stated that she thought Mr. Creamer was given the option and he chose to not resign from the Events Committee. Council Member Sox stated that was how he recalled it but he did not recall Mr. Creamer saying that he did not want to resign from the Events Committee to take on the new position. Ms. Corder stated that she thought Mr. Creamer was in the audience the night that they were referring to. Council Member Sox stated that Mr. Creamer attended the meeting and said that he would be willing to step down to be appointed to Planning and it was not approved.

Mayor Pro Tem Jenkins stated that anyone who served on a City committee was a volunteer and they were not under contract so if they wanted to resign from one and if there was an opening on another that was fine. He stated forcing a volunteer to stay until their term was up was not the way the City needed to operate. Council Member James stated that there were some questions that probably could get clarified if they could ask the recorder to review that and let them know what the situation was. He stated that he was sure that Ms. Cindy Pedersen would be excellent wherever she wished to serve. He stated that he was just going by memory of what Council did before and if he was wrong, that was perfectly fine and he would be happy to make the motion after that. Mayor Partin asked the City Attorney to give a little bit of guidance. Mr. Crowe stated that he did not have that section of the City Code with him but he was not aware of any prohibition on a committee member resigning to serve on another committee. Mayor Partin asked what questions staff needed to figure out and were they holding up the citizen from volunteering while they waited for that answer. Council Member James stated that Mayor Partin asked for his reason for not making a motion and it was to clarify Council's consistency of how they dealt with residents who stepped down or were allowed to step down or resign in the middle of their term. Ms. Corder stated her memory was that staff or someone on Council had spoken with Mr. Creamer and at that time, he was not ready to get off the Events Committee. Ms. Hegler asked if Mr. Creamer had resigned or was he still on the Events Committee. Ms. Corder stated that he was still on the Committee. She stated that she could certainly go back and look, but what she remembered was he was not willing to resign at that point and wanted to wait a while.

Mayor Partin asked if the conversation on what Council needed to do to make sure to put someone on a committee that the City had to have by law seemed like an important conversation. She stated that she was 99% sure that what was going to come back next month was Council said they did not want someone on two (2) different committees in the City because they wanted to make sure that everyone had a chance to be involved and serve. She stated that she did not recall ever having a conversation

regarding if someone wanted to be on a committee, they could not quit the committee they were serving on and Council would not let them, as a volunteer citizen, quit from a committee until the end of their term and hoped it would line up with an opening on another committee. Council Member Sox stated that he would echo what Council Member James said about deferring to the next meeting so someone could go back and listen to it and come back with that information. Mayor Partin asked what they were going back and listening to. Council Member Carter stated that he thought it would behoove them to ask Mr. Creamer for his understanding of what occurred, did he not recuse that night. He stated that he could not recall what Mr. Creamer spoke about that night. Mayor Partin stated that she believed he spoke in favor of another female, an application that he suggested Council appoint. She stated that Mr. Creamer did not say he would resign if it was the end of his term. She stated that he actually spoke for one of the other applicants who now serves on the Planning Commission, because Council took them in order and let people serve. Mayor Partin stated there was a motion to approve Ms. Pedersen and she asked Mr. Crowe for guidance. She stated that she felt the motion was going to fail, and she did not know that that was necessarily the intent of the Council for her to not get voted on. Mr. Crowe stated that they needed to vote on the motion on the floor. Mayor Partin stated there was a motion to postpone the appointment of Ms. Pedersen until the next Council. Council Member Sox seconded the motion. Council Member Carter voted yes, Mayor Partin and Mayor Pro Tem Jenkins voted no.

City Manager's Report

Ms. Hegler stated that the City had an employee who was attending advanced training on the City's new street sweeper so there would be another staff member who could drive it. She stated that Parks staff was trying to keep all of the Riverwalk open as 10 more days of rain was predicted. She stated that the Fire Department's new trailer for deploying boats for river rescue was getting some great publicity. She stated that staff had a meeting with the RIA the next day to officially kick off the City's \$10 million grant award for stormwater repairs in the Avenues. Ms. Hegler stated that staff had put out an RFP for an on-call general contractor since staff was having to do a lot of little repairs, sidewalk repairs and repairs in the Riverwalk. She stated that they would like to have someone on call to help with the repairs.

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

There were no items to discuss in Executive Session.

Adjourn

Council Member James 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 6:44 p.m.

Elise Partin, Mayor

ATTEST:

Mendy Corder, CMC, Municipal Clerk