

Mayor
Elise Partin

Mayor Pro-Tem
James E. Jenkins

Council Members
Phil Carter
Tim James
Hunter Sox

City Manager
Tracy Hegler

Deputy City Manager
Jim Crosland
Assistant City Manager
Michael Conley



**City of Cayce
Regular Council Meeting
Tuesday, October 4, 2022**

The October Regular Council Meeting was held this evening at 6:00 p.m. in Council Chambers. Those present included Mayor Elise Partin, Mayor Pro Tem James Jenkins and Council Members Phil Carter, Tim James and Hunter Sox. City Manager Tracy Hegler, Deputy City Manager Jim Crosland, Assistant City Manager Michael Conley, Municipal Clerk Mendy Corder, Finance Director Kelly McMullen, Human Resources Director Lynn Dooley, IT Director Jamie Beckham, Police Chief Chris Cowan and City Attorney Danny Crowe were also in attendance.

Mayor Partin asked if members of the press and the public were duly notified of the meeting in accordance with the FOIA. Ms. Corder confirmed they were notified.

Call to Order

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

Approval of Minutes

Council Member Carter made a motion to approve the September 6, 2022 Regular Council Meeting minutes as written. Council Member Sox seconded the motion which was unanimously approved by roll call vote.

Public Comment Regarding Items on the Agenda

Mr. Brandon Walker – Item VI. A. Mr. Walker stated he was in attendance on behalf of his cousin, the owner of Our Place Lounge. He stated that he did not know what the verdict was on the ruling of his cousin’s business license but he would be taking control over the administrative duties of the business. He stated that there were certain things they did know being first time business owners and did not know the ins and outs of everything that been asked of them. Mr. Walker stated that he and his cousin were doing their best to tighten up things administratively.

Ms. Kimberly Price – Item V. A. Ms. Price stated that she was speaking in regards to the requested zoning change on Taylor Road. She stated that she was the owner of the company that owned the property. She stated that she requested changing the front part of the property to residential, which is what it really was, since she had two (2) tenants that live in the front two houses. She stated that she wanted the back of the property to remain commercial. Ms. Price stated that she had not used the commercial lot or rented it to anyone, because they did not want just any business there because they did not want the tenants to be disturbed. She stated that a potential

use of the commercial property would be someone that needed a place to store storage trucks. She stated there would only be employees and not customers coming in and out of the area so the residents would not have an issue. Ms. Price stated that the way the property was currently zoned any type of business was allowed but she did not want to do that. She stated that she did not want any noise issues, especially in the late hours of the night.

Presentations

A. Presentation by Mr. John Jones of the South Carolina Law Enforcement Accreditation Council for the Reaccreditation of Cayce Police Department

Mr. Jones, the Executive Director of the South Carolina Law Enforcement Officers' Association and South Carolina Police Chiefs Association, stated that it was good to see all his friends that he worked with during his time with Cayce Public Safety. He stated that he was proud to be there, not just because he was a Cayce retiree and a member of the Cayce family, but because of his new position, he got to sit on the Accreditation Council for the state of South Carolina. Mr. Jones stated that when he had the opportunity to raise his hand and vote on behalf of Cayce, he was the first one to do so. He stated that the Cayce Police Department was awarded their reaccreditation not just because of Chief Cowan's leadership or the leadership of the Mayor and Council but because they are a team. He stated that the Cayce Police Department was a team, and he was proud to say he was part of that team and would always be a part of that team. He presented the Accreditation Certification for the state of South Carolina to Chief Cowan and his team.

Chief Cowan stated that the Accreditation Certificate was the work of the Officers in attendance who spent countless hours overcoming a lot of hurdles and obstacles. He stated that there was frustration, there was emotion, but he was so proud of the team and the work they did every day. He stated that the commitment they have and the passion they have for Cayce was second to none. Chief Cowan stated that he was really proud of them and all the work they did on the reaccreditation.

Proclamations

A. Approval of Proclamation – South Carolina Latino Business Day

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

Ordinances

A. Discussion and Approval of Ordinance 2022-14 Amending the Zoning Map and Rezoning Properties Located at 2216 Taylor Road (TMS#005759-07-

030), a portion (approximately .047 acres) of 2218 Taylor Road (TMS#005759-07-003 (P)) and 2220 Taylor Road (TMS#005759-07-004) from C-2 to RS-3 – First Reading

Ms. Hegler stated that the request was for three (3) parcels on Taylor Road which was just off of Frink Street. She stated that the applicant requested that the portion of two (2) properties and a portion of one (1) property be rezoned to residential which was in compliance with the City's Comprehensive Plan. She stated that the Planning Commission met and approved that rezoning. Ms. Hegler stated that staff received a model survey from the applicant that showed exactly how she would like to split up the properties. She stated that part of it would remain commercial per the applicant's request and part would be residential. She stated that caused some concern with staff since the commercial portion would be in the back behind the residential properties.

Ms. Hegler stated that staff had worked with the applicant before and had not quite cracked the code on what should be done. She stated that staff was asking to have another chance to talk to the applicant to consider the concerns and see if there was another way that staff could help make good use of the properties for her. She stated that staff was not opposed to residential but wanted to make sure there was good compatibility between the residential lots and the commercial lot. Ms. Hegler stated staff was asking Council to defer this item to allow staff to go back and work with the applicant to see if they could come up with a good solution that did not have the compatibility concern and bring the matter back to Council at the November 1, 2022 Council Meeting.

Council Member Carter thanked Ms. Hegler, Mr. Crosland and Mr. Conley for meeting with him the prior day to discuss this requested rezoning. He stated that he shared some of the same concerns that staff did. Council Member Carter made a motion to defer the item to the November 1, 2022 Council Meeting. Council Member Sox seconded the motion which was unanimously approved by roll call vote.

- B. Discussion and approval of Ordinance 2022-15 Annexing 74.28 acres in Conjunction with RG-1 Zoning Designation. The properties are located at Idlewild Boulevard, Richland County. The properties are further identified as Tax Map Numbers R11111-01-55, R11114-01-13, R11111-01-02, R11114-01-62, R11114-01-61 and R11114-01-02 - First Reading

Ms. Hegler stated that staff received a request on Friday, September 30, from the applicant to defer this item to the November 1, 2022 Council Meeting. She stated that staff asked for a reason for the deferment and the applicant stated that they heard the concerns that were raised by the Planning Commission when they considered this item a few weeks ago, and that they would like to have time to address those issues. She stated that staff advised them that the item had already been published therefore, the

consideration of the deferral would go before Council who would either accept it or not. She stated that staff did further advise that as staff they did not have an objection to one (1) deferral, noting that posting, advertising and preparing for the readings did take staff time so the applicants were made aware of that.

Council Member James made a motion to defer the item to the November 1, 2022 Council Meeting. Council Member Carter seconded the motion which was unanimously approved by roll call vote.

Items for Discussion and Possible Approval

A. Discussion and Approval of Order in Our Place Lounge, LLC Business License Revocation Matter

Ms. Hegler stated that this was an order that documented the hearing from the previous month on this matter. She stated that it was just a record of the proceeding and the City Attorney was in attendance to answer any questions that Council may have. She stated that this was purely the next step in the process and that had been shared with the business owner's attorney as well.

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

B. Discussion and Approval of Accommodations Tax Requests for FY2022/2023

Council Member James stated that he had asked to be recused from discussion pertaining to Item IV. B. and C. because of his professional relationship of employment and with the Mayor's permission he would excuse himself (see attached recusal form).

Ms. Hegler stated that Council's approval was requested to proceed with distribution of Accommodations Tax funds to organizations that were planning events and activities that were open to the public and would promote tourism in the City of Cayce during the current fiscal year. She stated that Council was also being asked to proceed with distribution of Accommodations Tax funds to nonprofit organizations such as the Greater Cayce West Columbia Chamber of Commerce, the Visitor and Convention Bureau or Regional Tourism Commission, all which have an existing ongoing tourist promotion. She stated that 30% of the Accommodations Tax funds the City receives is required by state law to be given to those entities.

Ms. Hegler stated that way of background for the public in attendance funding was provided by Accommodations Tax revenues to qualifying applicants and is based on the percentage of attendees who travel 50 or more miles to attend the event. She stated that obviously, the goal was to try to get people from outside of the area to attend and stay in local hotels. She stated that funding was contingent upon the City

maintaining the estimated funding level. She stated that staff looked ahead to project out what they hoped that amount would be. She stated that the City had an Accommodations Tax Committee which was also required by state law and they met on September 20, 2022 to make recommendations for Council. Ms. Hegler stated that a quorum was not met for the first two (2) meetings prior. She stated that the Committee reviewed the applications received from the organizations that were planning events and the local nonprofits. She stated that both the requested Accommodations Tax funds, a chart of the requests and the recommendations from the Committee were in Council's packet. She stated that the Accommodations Tax Committee recommended awarding \$28,250 in Accommodations Taxes to six (6) grant requests and \$36,585 to nonprofits for a total of \$64,835. Ms. Hegler stated that the amount recommended for the nonprofits was an estimate of the 30% the City might collect over the upcoming year.

Council Member Carter made a motion to approve the Committees recommendations. Council Member Sox seconded the motion. Mayor Partin asked that that all of the grantees, including the 30% group, provide the City with a return on investment. She stated that she would like Council to receive data from them each year, similar to the amazing job John Banks did in providing all the information on Tartan Day. She stated that she would like to see everyone give that level of data on return on investment.

Council Member Carter amended his motion to add Mayor Partin's request for detailed return on investment from each grant recipient. Council Member Sox amended his second which was unanimously approved by roll call vote.

C. Discussion and Approval of Hospitality Tax Fund Requests for FY2022/2023

Ms. Hegler stated that similar to Accommodations Tax, the City collects Hospitality Tax and awards those funds to organizations that are doing tourism related work in the City. She stated that during FY2021, \$60,000 in Hospitality Tax grants were issued to such entities. She stated that this year, the City received 10 grant requests totaling \$111,625. She stated that unlike Accommodations Tax funds, which requires a committee to review those applications, Hospitality Tax requests are reviewed in house by a staff committee. She stated that staff recommended awarding a total of \$99,200 for 10 projects in the current year. Ms. Hegler stated that Council had already approved transferring \$1,050,000 of hospitality tax funds into the City's FY23 budget for operation and maintenance of tourism related activities and capital items which was pretty consistent with every year.

Ms. Hegler stated that the City's projected hospitality tax revenue for the upcoming year was \$1,458,144.12 and staff would like to hold \$100,000 in reserves for some of the activities that the City does. She stated that would leave \$207,688.70 available to be given to grant making or another fund or designated fund balance. She

stated that staff recommended that Council hold back \$100,000 of the hospitality tax funds for projects related to Christmas in Cayce and Soiree on State in the fund balance as a designated reserve and issue a total of 10 grants for \$99,200. She stated a breakdown of the grants and the recommendations and what the funds would be used for were in a chart in Council's packet. She stated that Council could approve, deny or reduce any of the grant requests and the requested reserve amount

Council Member Sox made a motion to approve the recommendations. Mayor Pro Tem Jenkins seconded the motion which was unanimously approved by roll call vote. Council Member Carter thanked staff for their work on this and stated that a lot of money was going to important things.

D. Discussion and Approval of a Grant Award for a Victim's Advocate Position for the Police Department through the South Carolina Attorney General's Office

Ms. Hegler stated that the City currently had one (1) Victims Advocate. She stated that the Police Department was expanding their community policing services and outreach to the City's diverse community therefore, it was important that the City expand its victim services. She stated that the City had been fortunate to be awarded a grant of \$77,763 from the Attorney General's office which would allow the City to have a new position with a second Victims Advocate. She stated that this position would aid the City's current Victims Advocate and assist victims with court processes and procedures. Ms. Hegler stated that as required by state law, the grant money would be used to help implement a social work program that would utilize University of South Carolina graduate students to help assist with mental illness and identifying the City's at-risk senior citizens. She stated that the grant position was renewed on a yearly basis as long as there was funding and the grant would cover 100% of the position's salary and benefits.

Council Member Sox made a motion to approve acceptance of the award granted through the South Carolina Attorney General's office for an additional Victims Advocate position for reimbursable amount of up to \$77,763. Council Member James seconded the motion which was unanimously approved by roll call vote. Mayor Partin thanked staff for doing such an amazing job to get a grant like this. She stated that it was amazing for such an important position and it to be funded 100%.

Committee Matters

- A. Approval to Enter the following Committee approved Minutes into the City's Record
Cayce Housing Authority – June 28, 2022
Museum Commission – August 3, 2022
Events Committee – August 11, 2022

Zoning Board of Appeals – August 15, 2022
Planning Commission – August 15, 2022

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

B. Reappointments
Events Committee – Three (3) Positions

Council Member Sox made a motion to reappoint Mr. Jonathan Moore, Ms. Alexis Moore and Ms. Cindy Pedersen to the Events Committee. Council Member Carter seconded the motion which was unanimously approved by roll call vote.

C. Discussion and Approval of Proposed Amendments to the Cayce Events Committee By-Laws

Ms. Hegler stated that Council asked staff to have all the City's Committees and Foundations review their by-laws and to include the City's attendance policy in their by-laws. She stated that some other concerns had been dealt with and handled that the City Attorney had brought forward so they were all consistent with the City's policies, Ordinances and the City's form of government.

Mayor Pro Tem Jenkins made a motion to accept the Events Committee's amended by-laws. Council Member James seconded the motion which was unanimously approved by roll call vote.

D. Discussion and Approval of Proposed Amendments to the Planning Commission By-Laws

Council Member James made a motion to accept the Planning Commission's amended by-laws. Council Member Sox seconded the motion which was unanimously approved by roll call vote.

E. Discussion and Approval of Proposed Amendments to the Zoning Board Of Appeals By-Laws

Council Member Carter made a motion to accept the Zoning Board's amended by-laws. Council Member Sox seconded the motion which was unanimously approved by roll call vote.

F. Discussion and Approval of Proposed Amendments to the Accommodations Tax Committee By-Laws

Council Member Sox made a motion to accept the Accommodations Tax Committee's amended by-laws. Council Member Carter seconded the motion which was unanimously approved by roll call vote.

City Manager's Report

Ms. Hegler stated that the Police and Fire Departments were holding National Night Out in Granby Gardens Park and invited everyone to go after the Council Meeting. She stated that the City's Public Safety Foundation asked her to show Council and the audience shirts they were selling there in honor of Officer Drew Barr. She stated as Councilman James mentioned, the City did fare well with Hurricane Ian the previous week. She stated that staff did an amazing job preparing for it. She stated that she wanted to publicly commend Mendy Corder and Amanda Rowan for the amount of work they did for Fall Fest which had to be cancelled due to the inclement weather.

Ms. Hegler stated that Coffee with a Cop was the following morning at Piecewise on State Street from 7:30am to 9:30am. She stated that the Fire Department received their new cascade system that morning, which would ensure that they are safely and efficiently refilling their tanks with state-of-the-art equipment. She stated that one of the new Sanitation trucks was being delivered the following week. She stated that the Parks Department was busy preparing for Christmas in Cayce. Ms. Hegler stated that the City's Attorney had reviewed the lease for the new Police Substation at 1220 Knox Abbott Drive and the lease was signed that day.

Ms. Hegler stated that she had a few staff kudos she wanted to share with Council. She stated someone commented on social media what a great job Parks staff did clearing a massive tree that fell on the Riverwalk. She stated that staff had the huge tree cleaned up in about six or seven hours. She stated that the Riverwalk was absolutely full of people and it would not have been possible without staff's hard work. She stated that Parks staff understands what a jewel the City's parks are. She stated a resident that lives on Naples Avenue complimented Chief Cowan. She read "Just a quick note of thanks for your effort to get additional stop signs on the avenues and working with the DOT on that project. I'm a third generation Cayce resident have spent a lot of my life on the Avenues. I've noticed a great change as a dog walker twice a day I've noticed the volume of pass through, especially nonresident traffic seem to increase along with the speeding. There are still some heavy-footed folks, but this has been a noticeable enhancement for somebody walking the streets daily. Thank you for this project." Ms. Hegler stated that the Administrative Assistant in the Police Department received a call from Mrs. Jones who called in having after having a conversation with her mother who she found in a very depressed state. The caller told her mother to take a step away and walk outside and look around to find three things to be grateful for.

The mom forgot to turn her alarm off when she went outside and proceeded to walk around her yard looking for three things to be grateful for and attending to her flowers. She was unaware that her alarm was going off and the alarm company was attempting to reach her to verify that everything was okay. The alarm company phoned the Police Department and Officer Soward went to the residence to check on the alarm. The mother was on the backside of her home and she turned around to see Officer Soward walking toward her. She then tells her daughter while she's on the phone with her that that is one of the things she's grateful for. The daughter mentioned that her mom had shared this story three different times with her. She goes on to say that in saying her prayers this morning she was grateful for the time Officer Soward took to talk to her mom and it really made her day. She stated that it made her feel good that she lived in a city where the Police Officers take time to do that. Ms. Hegler stated that the mother went on to compliment Officer Soward on his professionalism, his kindness and he will remain on her grateful list.

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 not any items to discuss in Executive Session.

Adjourn

Mayor Pro Ten Jenkins made a motion to adjourn the meeting. Council Member James seconded the motion which was unanimously approved by roll call vote. There being no further business, the meeting adjourned at 6:37 p.m.

Elise Partin, Mayor

ATTEST:

Mendy Corder, CMC, Municipal Clerk

IF YOU WOULD LIKE TO SPEAK ON A MATTER APPEARING ON THE MEETING AGENDA, PLEASE COMPLETE THE INFORMATION BELOW PRIOR TO THE START OF THE MEETING.* *THANK YOU.*

COUNCIL MEETING SPEAKERS' LIST

Date of Meeting October 4, 2022

Name	Address	Agenda Item
<i>Brandon Walker</i>	<i>1130 Pine St</i>	<i>VI A</i>
<i>Kimberly Rice</i>	<i>203 Calcutta Dr. W. Columbia</i>	<i>VA</i>

***Appearance of citizens at Council meetings - City of Cayce Code of Ordinances, Sec. 2-71.** Any citizen of the municipality may speak at a regular meeting of the council on a matter pertaining to municipal services and operation, with the exception of personnel matters, by notifying the office of the city manager at least five working days prior to the meeting and stating the subject and purpose for speaking. Additionally, during the **public comment period** as specified on the agenda of a regular meeting of the council, a member of the public may speak on a matter appearing on the meeting agenda, with the exception of personnel matters by signing a speakers list maintained by the city clerk prior to the start of the public comment period. The number of speakers at a council meeting may be limited in the discretion of the mayor or presiding officer, the length of time for any speaker's presentation is limited to a maximum of five minutes, and a presentation may be curtailed if determined to be uncivil, contentious, or disruptive in the discretion of the mayor or presiding officer or by majority of vote of council.

RECUSAL STATEMENT

Member Name: Timothy M. James

Meeting Date: OCT. 4, 2022

Agenda Item: Section VI Number B

Topic: Discussion & Approval of Accomodations Tax
Requests FY 2022-2023

The Ethics Act, SC Code §8-13-700, provides that no public official may knowingly use his office to obtain an economic interest for himself, a family member of his immediate family, an individual with whom he is associated, or a business with which he is associated. No public official may make, participate in making, or influence a governmental decision in which he or any such person or business has an economic interest. Failure to recuse oneself from an issue in which there is or may be conflict of interest is the sole responsibility of the council member (1991 Op. Atty. Gen. No. 91-37). A written statement describing the matter requiring action and the nature of the potential conflict of interest is required.

Justification to Recuse:

Professionally employed by or under contract with principal

Owns or has vested interest in principal or property

Other: _____

OCT. 4, 2022 _____
Date Member Signature

Approved by Parliamentarian:

RECUSAL STATEMENT

Member Name: Timothy M. James

Meeting Date: Oct. 4, 2022

Agenda Item: Section VI Number C

Topic: Discussion & Approval of Hospitality Tax
Request for FY 2022-2023

The Ethics Act, SC Code §8-13-700, provides that no public official may knowingly use his office to obtain an economic interest for himself, a family member of his immediate family, an individual with whom he is associated, or a business with which he is associated. No public official may make, participate in making, or influence a governmental decision in which he or any such person or business has an economic interest. Failure to recuse oneself from an issue in which there is or may be conflict of interest is the sole responsibility of the council member (1991 Op. Atty. Gen. No. 91-37). A written statement describing the matter requiring action and the nature of the potential conflict of interest is required.

Justification to Recuse:

- Professionally employed by or under contract with principal
- Owns or has vested interest in principal or property
- Other: _____

Oct. 4, 2022 _____
Date Member Signature

Approved by Parliamentarian: _____