



CITY OF CAYCE

MAYOR
ELISE PARTIN

MAYOR PRO-TEM
JAMES E. JENKINS

COUNCIL MEMBERS
TARA S. ALMOND
PHIL CARTER
EVA CORLEY

CITY MANAGER
REBECCA VANCE

ASSISTANT CITY MANAGER
SHAUN M. GREENWOOD

CITY OF CAYCE Regular Council Meeting December 1, 2015

The December Regular Council Meeting was held this evening at 6:00 p.m. at the Cayce Tennis and Fitness Center. Those present included Mayor Elise Partin, Council Members Tara Almond, Phil Carter, Eva Corley, and James Jenkins. City Manager Rebecca Vance, Assistant City Manager Shaun Greenwood, Municipal Clerk Mendy Corder, Municipal Treasurer Garry Huddle, City Attorney Danny Crowe, Director of Utilities Blake Bridwell, and Chief Charles McNair were also in attendance.

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

Call to Order

Mayor Partin called the meeting to order. Council Member Carter gave the invocation. Mayor Partin introduced Cayce Public Safety Officer Mandy Fournier to lead the assembly in the Pledge of Allegiance. Officer Fournier served in the United States Coast Guard for 4 ½ years and earned the rank E4 as a Petty Officer 3rd Class. Officer Fournier was assigned to the "Aids to Navigation" Team in Miami, Florida. She was later assigned to the United States Coast Guard Cutter Oak in Charleston. She conducted Search and Rescues, aids to navigations and immigration control in Charleston. Officer Fournier received a Team Commendation Award, a Sea Service Ribbon, a Unit Commendation and a Global War on Terrorism Service Medal.

Approval of Minutes

Council Member Jenkins made a motion to approve the November 18, 2015 Regular Council Meeting minutes as written. Council Member Almond seconded the motion which was unanimously approved by roll call vote.

Public Comment Regarding Items on the Agenda

No one signed up for Public Comment.

Presentations

A. Presentation of Whole Sole Awards

Mayor Partin invited Lt. Tom Steinbring, Sgt. Austal Youmans, Sgt. Jimmy Gleaton, Sgt. John Reese, Sgt. Paul Dufault, Fire Fighter Nate Haskett, Public Safety

Officer Jacob Harlow and Public Safety Officer John Maynard to join her in front of the assembly. Mayor Partin explained that Lt. Steinbring nominated the City's Swift Water Rescue Team for the City's Whole Sole Award for their dedication to duty in the performance of countless water rescues during the floods in October. In the nomination Lt. Steinbring wrote that the team greatly assisted in the rescue of several stranded motorists and the safe evacuation of citizens from their residence when required. The team faced harsh life threatening obstacles while placing themselves in harm's way for the purpose of preserving life. One such event was captured by a news photographer and broadcasted on national news which showed the rescue of two motorists in raging flood waters at Bluff Road and I-77. A video was played for the assembly showing City of Cayce Public Safety personnel performing this swift water rescue.

Mayor Partin explained that the team sacrificed five days away from their families and their own property to provide support for another jurisdiction that was struggling from the floods. Their commitment to the welfare of the citizens of Cayce and surrounding jurisdictions exemplifies their willingness to go above and beyond the normal call of duty, for the preservation of others.

Mayor Partin stated that Lt. Steinbring was also nominated for the Whole Sole Award. The nomination states that Lt. Steinbring took on the task of assembling and training a swift water rescue team for the City's Public Safety Department. He took the initiative to become an instructor for swift water rescue as well as purchasing the equipment for the department to have the ability to provide this service to the citizens which frequent the Congaree River. This training and equipment became paramount to search and rescue operations during the flooding of the midlands at the beginning of October 2015. Lt. Steinbring coordinated the response and recovery operations that were conducted within the City of Cayce and neighboring jurisdictions during the flooding. His team made national news when they rescued a man from his vehicle along Bluff Road at I-77.

Mayor Partin stated Lt. Steinbring worked extensive hours to make sure the citizens and Public Safety personnel were safe and had all the assistance needed to make it through the flooding. Lt. Steinbring worked those hours of operations with the understanding he is an exempt employee and he would not be compensated for his effort. That by no means impeded his dedication to complete the task. Furthermore, the Cayce Department of Public Safety was requested by the Columbia/Richland Fire Service to provide boats and swift water rescue standby operation at Station 22 (Lower Richland Fire Station). Lt. Steinbring again with no hesitation led the operation for the five (5) day standby at station 22. During the five (5) day operation he worked multiple 24 hour shifts with the understanding he may again not be compensated for his efforts.

Mayor Partin thanked all the Whole Sole Award recipients for their years of loyalty, their dedication and hard work during the floods.

B. Presentation of City's Holiday Card Contest Winners

Mayor Partin explained that the City started a new Holiday tradition by inviting Lexington County School District 2 elementary and middle school students to participate in a Holiday Card Contest. Each student submitted a drawing of a card and the chosen winner's card will be used as the City's official card for that year. The winner receives a framed picture of his or her card and a \$100 Walmart gift card. Four students were chosen to receive honorable mention certificates.

Mayor Partin announced that the winner of the Holiday Card contest was Marques Dante X-Avier Hudson from Pine Ridge Middle School. Tyler Dasher from Pine Ridge Middle School, Carlie Elliott from Busbee Creative Arts Academy, Oscar Emmanuel Ortega Lopez from Pine Ridge Middle School and Jade Robinson from Busbee Creative Arts Academy were chosen as the honorable mention recipients. Mayor and Council thanked each student for their participation.

C. Approval of 2016 Council Meeting Dates

South Carolina state law requires a municipality to make public the dates of Council Meetings at the beginning of each calendar year and provide Council with a suggested schedule. Mayor Partin stated that the Regular Council Meetings are the first Tuesday of the month. She explained that Council tentatively schedules a second Council Meeting each month for the third Wednesday of the month at 5pm. In June 2016 the Special Council Meeting will be held the fourth Wednesday of the month since the third Wednesday would fall the week following the Regular Council Meeting.

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

Resolutions and Ordinances

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

Council Member Carter asked if the approval of the multijurisdictional agreements are done annually. Mayor Partin affirmed that they were done annually. 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. Discussion and Approval of Ordinance 2015-15 Amending the City Code to Add a New Article IV ("Rental, Non-Owner Occupied and Unoccupied Property Regulations") to Chapter 10 ("Buildings and Building Regulations")

- First Reading

Mayor Partin explained that the Ordinance and program were created at the request of the City's residents. It addresses properties that are rental, non-owner occupied or unoccupied properties in the City. The Ordinance requires the owners of these properties to register with the City and provide a local responsible party that can be contacted in the case of violations or emergencies. Mayor Partin stated that 41% of the homes in Cayce are rental homes and apartments.

Ms. Vance explained that the goal of the program is to maintain neighborhood integrity by adopting a property registration Ordinance that requires single-family, duplex, triplex and quadraplex rental, non-owner occupied and unoccupied properties to be registered with the City. The registration process helps prevent problems and improves communication among neighborhoods, property owners and the City.

Ms. Vance stated that the Ordinance allows the City to revoke the permit for a landlord that does not comply with this Ordinance or that has 3 or more code or other violations on their property within a year. There is currently no fee proposed for this registration but any property found in violation of this ordinance will be assessed a \$100.00 late fee per year for failing to register. Council Member Carter asked if the late fee would apply to the owner of the property or the renter. Ms. Vance explained that it would apply to the owner of the property and for each property the owner fails to register.

Ms. Vance explained that the permits will be valid from January 1st to December 31st with a grace period extending to April 15th. She stated that any property not registered by April 15th will be considered late and penalties will apply. These dates directly mirror the existing business license program for the City.

Ms. Vance stated that the Ordinance will give staff tools to address some of the rental properties in the City that residents feel are not being maintained and the renters are not being respectful of the property. Ms. Vance explained that if the program begins to take a lot of staff time a person may need to be hired to run the program.

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

- C. Discussion and Approval of Ordinance 2015-13 Amending Article 7 ("Conditional Use and Special Exception Regulations") of the Zoning Ordinance of the City of Cayce – Second Reading

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

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

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

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

Other

A. Discussion and Approval of Hospitality Tax Fund Request – River Alliance Phase 4 12KHP Interpretive Program

Ms. Vance stated that the City of Cayce received a request from the River Alliance for the Interpretive Program for Phase 4 of the 12,000 Year History Park. She explained that the amount requested is larger than the usual amount requested since over 20,000 artifacts found in the Park are to be transported and stored at the University of South Carolina. Students at the University will catalog each artifact electronically. The requested amount will also fund volunteer recruitment and training, develop Fort Congaree theme module, produce interpretive package content and graphics, and begin development of Prehistoric Mississippian and Natural Resources theme modules.

Council Member Jenkins made a motion to approve the request. Council Member Carter seconded the motion which was unanimously approved by roll call vote.

City Manager's Report

Ms. Vance stated that the property owner whose request caused staff to realize that a special exception needed to be added to the Zoning Ordinance is applying for the special exception at the December 21, 2015 Board of Zoning Appeals meeting. She explained that this is a month earlier than planned so hopefully they will have the baseball fields built soon.

Ms. Vance stated that staff was recently notified that the City will receive approximately \$29,000 in Hazard Mitigation funds for Phase I of the Riverwalk. She reminded Council that staff applied for these funds in 2014 to move the trail and do some stabilization of the bank. She stated Phase 3 of the Riverwalk should be opening the next day. This phase of the Riverwalk has been a challenge since it is lower than the other phases of the Riverwalk.

Ms. Vance stated that the Thomas Newman Boat landing was damaged during the flooding and will cost approximately \$300,000 to repair. This damage was included in the list submitted to FEMA of items that need to be repaired. She explained that the City does own the boat landing and DNR has agreed to help the City with whatever portion that FEMA monies does not cover to repair. Ms. Vance stated that staff wants to improve the boat landing by adding better lighting and security cameras.

Ms. Vance stated there is less than a hundred feet of line left to replace on the Highway 321 water line replacement project. She explained it will take at least a month to get the project permitted and open.

Ms. Vance stated that the economic development consultant that the City hired will be in town soon to tour the City. The consultant's research and plan for the City should be submitted to staff by mid-January.

Ms. Vance stated that Parks staff has had to rent a tractor with a brush on the front of it to remove the mud and silt from the pathways in the Riverwalk after the recent floodings. She explained that the cost to rent this piece of equipment is \$1,300 a week. Staff has researched the cost to purchase a similar tractor and the cost is \$25,000. This tractor also has an attachment that can pick up large trees off the trail. Currently if a tree falls on the Riverwalk staff does not have adequate equipment to move the fallen tree and can only cut the tree and move it to the edge of the trail. She explained that the tractor will be paid for with monies from the History Park Fund.

Committee Matters

A. Appointments and Reappointments

Mayor Partin stated that there is one open position on the Consolidated Board of Appeals. Mr. Travis Basnett has submitted a potential member application for this Board. She explained that members who serve on this Board must be either an Engineer, Contractor, Architect or Design Professional. Mr. Basnett meets this requirement.

Council Member Almond made a motion to appoint Mr. Basnett to the Consolidated Board of Appeals. Council Member Corley seconded the motion which was unanimously approved by roll call vote.

Council Comments

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

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. Receipt legal advice regarding possible Utility debt refinancing
- C. Discussion of negotiations incident to possible acquisition of property for a new water tank

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

Possible Actions by Council in follow up to Executive Session

Council Member Carter recused himself from Executive Session during discussion of Item IX.C. since there was a potential conflict of interest on his part.

Item IX. C.

Council Member Almond made a motion to authorize the City Manager to execute any documents necessary to consummate the purchase of properties for the new water tank. Council Member Corley seconded the motion which was approved by roll call vote. Council Member Carter abstained from voting.

Adjourn

There being no further business, Mayor Partin made a motion to adjourn the meeting. Council Member Corley seconded the motion which was unanimously approved by roll call vote. The meeting adjourned at 7:42 p.m.

Elise Partin, Mayor

ATTEST:

Mendy C. Corder, Municipal Clerk

RECUSAL STATEMENT

Member Name: PHILLIP CARTER

Meeting Date: DECEMBER 1, 2015

Agenda Item: Section IX Number C

Topic: NEGOTIATIONS INCIDENT TO POSSIBLE ACQUISITION OF
PROPERTY FOR A NEW WATER TANK

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: _____

DECEMBER 1, 2015
Date

Phillip Carter
Member Signature

Approved by Parliamentarian: Mandy Cady

