

CITY OF CAYCE
Regular Council Meeting
April 7, 2009

The Regular April 2009 Council meeting was held this evening at 6:00 p.m. in Council Chambers. Those present included Mayor Elise Partin, Council members Steve Isom, James Jenkins, Kenneth Jumper and Rick Myers, City Manager John C. Sharpe, Tammy Barkley, Municipal Clerk, and Garry Huddle, Municipal Treasurer. City Attorney, Danny Crowe, Frank Robinson, Director of Utilities, Verla Swygert, Director of Sanitation and Parks, Ken Knudsen Director of Planning & Zoning, and Chief Charles McNair, Director of Public Safety, were also in attendance. Mayor Partin advised that members of the press and the public were duly notified of the meeting in accordance with the FOIA.

Mayor Partin called the meeting to order. Mr. Jumper gave the invocation and Mayor Partin led everyone in the Pledge of Allegiance.

Approval of Minutes

The minutes of March 3, 2009 Regular Meeting. Mr. Jumper made a motion to approve the minutes as submitted. Mr. Jenkins seconded the motion. Mr. Isom asked that the minutes be corrected as follows: Bid Award – Charrette Master Plan, page 6, first paragraph, “Mr. Isom inquired if the city was in line with the State procurement code. The City Attorney responded that in relation to professional services, he believes the city is in line with the Code. The City Manager stated that the RFP was not advertised in the newspaper. “ Mr. Jumper amended his motion to approve the minutes with the noted corrections. Mr. Jenkins amended his second to the motion. After discussion, the motion was unanimously approved.

The minutes of the March 9, 2009 Special Meeting were presented for approval. Mr. Myers made a motion to approve the minutes as submitted. Mr. Isom seconded the motion which was unanimously approved.

Presentations and Proclamation

A. Presentation of Community Service Awards

Mayor Partin, on behalf of Council, presented the Community Service Awards to members of the City’s various committees who have served for 10 to 14 years: Ms. Mary Sharpe, Mr. Jack Sightler, and Ms. Daytona Jarman. Mr. Sightler was unable to attend the meeting. She presented certificates and awards Ms. Sharpe and Ms. Jarman and thanked them for their years of service and dedication to the City.

B. Presentation of US Flags flown in Iraq – Robin Rucker

Sgt. Robin Rucker appeared before Council and presented the U.S. flag and the SC State flag that had flown during a time of hostile fire during Operation Enduring Freedom at the Zabul PRT Compound in Afghanistan to Mayor and Council and Chief Charles McNair. Mayor Partin expressed Council's deep appreciation to Sgt. Rucker for his service to the United States.

C. Presentation by Commander John Kirkland Re American Legion's Request for Boys and Girls State Funding

Commander Kirkland appeared before Council to discuss the Boys and Girls State program and asked that Council consider funding students from the Cayce area to attend the program as has been done in the past. He stated that with the help of the City and others last year, they were able to send 26 students to the program. He asked for Council's assistance in this worthwhile project. The City Manager advised that the City provided sponsorship of \$800 for the past two years.

D. Presentation by Tim Leeming Re Columbia Speedway Spring Festival Update

Mr. Tim Leeming appeared before Council and provided them with an update on the plans for the Columbia Speedway Racers Reunion Spring Festival to be held on April 25, 2009. He thanked the city for their tremendous support on the project as a first annual event. He provided information regarding the history of the Columbia Speedway located in Cayce and the racers who have gone on to become national NASCAR champions. He provided Council with the types of events that would take place at the Festival and stated that David Pearson, Ned Jarrett, Buddy Baker, Bud Moore and others have already confirmed that they will be in attendance at the Festival.

E. Presentation by Leo Redmond Re Columbia Speedway Commemorative Pens

Mr. Redmond appeared before Council and presented Council with a special commemorative pen that was made by D.I. Blackwell from the guardrail that was at the Columbia Speedway and installed in 1948. Each pen is numbered and is a limited edition. Mr. Redmond advised that race car driver, Richard Petty, will be presented with the pen number 1. Council recognized Mr. Blackwell and thanked him for the gift. Mr. Redmond advised that the Museum would have a limited supply of the pens for sale.

F. Presentation by Dean Crepes Re Moving City Elections to Odd Years

Mr. Dean Crepes of the Lexington County Voters Registration office appeared before Council to discuss the possibility of moving the City's elections to odd years. He stated that his office currently handles the elections for the City on even years. He stated that by moving the municipal election to the odd years, it would reduce confusion

to those who live in Cayce when city elections are held with general election. He stated that the Town of Lexington has approved moving their elections to the odd years and that West Columbia is currently considering the same. He stated that if Council decides to move the election, his recommendation would be to extend current Council terms up for election in 2010 one year and hold elections in 2011. The City Manager inquired if the elections are moved if it would require Department of Justice approval. Mr. Crepes advised that it would need approval from the Department of Justice and it usually takes 3 to 4 months for the process. Mayor Partin inquired if moving the election would affect the cost to handle it. Mr. Crepes stated that the cost would be approximately the same. He stated that Cayce has 7 precincts, and the County may be able to open less precincts and if so, that would reduce costs minimally. The City Manager inquired if the move would have to be coordinated with Richland County to handle voters in that county. Mr. Crepes stated that he would have to review the records on the number of voters and voting could be done at the Richland County precinct or voters could be advised to vote at one of the precincts in Cayce.

Mr. Jenkins inquired if Mr. Crepes had any statistics on moving elections to the odd year. Mr. Crepes stated that he did not have any statistics as this has only been done for two years. Mr. Jumper inquired as to how the voters will be advised of the change. Mr. Crepes stated that their office would notify voters through a newspaper ad. He stated that his office would consider sharing expenses with the City if the City wanted to send a notification letter to voters. Mr. Jumper stated that voters need to be well informed if a change is made. Mr. Myers inquired as to the constitutionality of the Voters Right Act in reference to extending Council terms and what portion of the Act covers that issue. Mr. Crepes stated he would need to review the law, but to date, the Department of Justice has not declined a request to do so. Mr. Myers stated that two years ago Mr. Crepes appeared before Council with the suggestion that the County handle the City's elections. Now, he stated the County is asking that the City change its election day. He stated that he did not want to move to a different cycle if there is a possibility that votes would be lost. He stated that Council should consider this issue and what type of turnout the City would receive if elections were moved to an odd year cycle. He stated that he agreed with Mr. Jumper that if the move is made, there has to be some type of notification, press releases, etc., and felt notification should be done by the Elections Commission with the city's help if necessary.

G. Presentation by Sandy Owens Re Smoking Ban

Ms. Owens appeared before Council and asked that Council consider a smoking ban in the City of Cayce.

H. Approval of Proclamation – Municipal Clerks Week

Council considered for approval a proclamation recognizing May 3 through May 9, 2009 as Municipal Clerks Week. Mr. Myers made a motion to approve the proclamation. Mr. Jenkins seconded the motion which was unanimously approved.

Public Comment regarding Items on Agenda

Mayor Partin inquired if anyone in attendance had signed the speakers' list to address Council on municipal matters listed on the agenda. Ms. Barkley called speakers in order as signed.

Angela Hoyle – Elections – Ms. Hoyle stated that she felt if the City election moves to odd years, it would reduce the population of voters and believes there would be more voters if elections are held during the general elections. She stated she would appreciate Council's careful consideration on this issue. In reference to the presentation on a smoking ban, Ms. Hoyle asked that there be more consideration and opportunity for citizens input before placing a smoking ban in the City.

Dale Gaskins – Mr. Gaskins stated that he appreciated the ability to express his concerns and the opportunity of an open forum during Council meetings. In reference to zoning issues, he asked that Council stop and think about the people in the surrounding neighborhoods when rezoning residential property to mixed business zoning.

Paul Giugliano – Mr. Giugliano stated that he felt the City was on the right track in reference to transparency. He stated that when he was campaigning, he receiving many comments as to where all the money goes. He stated that he would applaud Council for moving forward with the transparency program and felt that it would calm the fears of citizens.

Ian Hamilton – Mr. Hamilton stated that he was with the SC Cancer Alliance and offered his assistance to Council whenever it decides to discuss a smoking ban and smoke free workplaces.

Perry Mack – Mr. Mack encouraged transparency and stated that he felt the City of Cayce could become a model for others especially in these days where there is deception.

Mayor Partin stated that several items were available to those in attendance— Comprehensive Plan survey, sign up sheet for the e-newsletter, flyers on the upcoming Columbia Speedway event, the Beautification Board's plant exchange and the City's photo contest. She encouraged those in attendance to pick up the information provided.

Resolutions and Ordinances

- A. Approval of Ordinance to Annex and Zone Property Located at 808 Dogwood
– First Reading

Council considered for first reading approval an Ordinance to annex and zone property located at 808 Dogwood. The City Manager stated that this is part of the City's effort to firm up its boundaries and eliminate "doughnut holes" within the incorporated area of the city. He stated that the proposed annexation and zoning requested by the property owner is compatible to the area and the surrounding neighborhood and is in compliance with the City's Comprehensive Plan. Mr. Jumper made a motion to approve the Ordinance on first reading. Mr. Isom seconded the motion. Mr. Myers stated that information provided indicated this property was part of the Edenwood subdivision and according to Edenwood Neighborhood Association and Lexington County, Edenwood stops at Dogwood and does not include the homes on the west side of Dogwood. Mr. Knudsen stated that the property is located on the County's Edenwood Plat. Mr. Myers stated that there is an Edenwood subdivision and an Edenwood West. Mr. Knudsen stated that technically it is a valid tax map number. Mayor Partin inquired as to the number of doughnut holes in the City. The City Manager advised he would provide this information to Council. After discussion, the motion was unanimously approved.

B. Approval of Ordinance to Rezone Property Located at 1801 Memorial Drive from RS-2 to C-4 – First Reading

Council considered for first reading approval an Ordinance to rezone property located at 1801 Memorial Drive from RS-2 to C-4. The City Manager advised that the rezoning request is for an individual lot that is currently zoned RS-2. He stated that the property is adjacent to an existing highway commercial and light industrial zone to the north and east. He stated that this property is not in compliance with the current Comprehensive Plan, but it appears that it would be in the best interest of the city if it was included as highway commercial. He stated that when the Comprehensive Plan was initially prepared only existing commercial and industrial properties were included in this area. At that time, he stated, none of the buffer yard requirements were in place. He stated that this rezoning may allow the city the opportunity to impose these regulations when the property is sold and redeveloped.

Mayor Partin inquired as to the specifications of the C-4 zoning and how residential areas would be affected. Mr. Knudsen provided Council with the explanation of requiring the developer to meet the buffer yard requirements. Mr. Myers asked why the zoning was designated as C-4 rather than something more comparable or neighborhood friendly. Mr. Knudsen advised that the property owner requested commercial and since the property across the street and the one to the north is zoned as C-4 and the property behind it is zoned M-1, it seemed a good fit. Mr. Myers inquired as to where the C-4 zoning would end. Mr. Knudsen stated it would end with the Memorial Drive property under consideration. Mr. Myers inquired as to the zoning of the property next door to the one being considered. Mr. Knudsen advised that if the proposed property was zoned C-2, there was a good chance that the property would be redeveloped as office institutional with less than a 50% upgrade which means nothing would be accomplished other than bringing additional commercial travel to the area.

Mayor Partin inquired if adjacent property owners were in attendance at the public hearing. Mr. Knudsen advised that the adjacent property owners were in attendance but did not voice any objection to the C-4 zoning request. Mr. Isom made a motion to approve the Ordinance on first reading. Mr. Jumper seconded the motion. Mr. Myers stated that he would like to hear from the people in neighborhood before second reading. Mayor Partin asked for a list of residents that attended the Planning Commission meeting. After discussion, the motion was unanimously approved.

C. Approval of Ordinance Amendment to Section 28-82 of the City of Cayce Code of Ordinances Re Drunkenness in Public – First Reading

Council considered for first reading approval an Ordinance to amend section 28-82 of the City Code of Ordinances regarding drunkenness in public. The City Manager stated that the City Attorney and Judge have had inquiries from attorneys who represent clients in reference to the ambiguity of this section of the city code. He stated that the code is ambiguous in that one could interpret the code that in order to be charged with public drunkenness one would also have to be disorderly. He stated that this is certainly not the case, but in order to clear up any confusion with this section of the code, the City Attorney has prepared an amendment to the Ordinance to straighten out any ambiguity. He stated the proposed ordinance amendment deletes the words “and disorderly” from the code section. Mr. Myers inquired if this amendment would replace the current drunk and disorderly ordinance. The City Attorney advised that the proposed ordinance deletes the word disorderly. Mr. Myers inquired if an individual could not be convicted unless they were also disorderly. The City Attorney stated that the Public Safety Department wanted to simply clarify the wording.

Mr. Jenkins inquired how this Ordinance would be enforced if someone was in their front yard, intoxicated and playing loud music. The City Attorney advised that this ordinance is intended just for drunkenness and the City has another ordinance that covers disorderly conduct and noise. Mr. Myers stated that his concern is that the City would be charging a person two offenses versus a drunk and disorderly offense which is one fine and he felt the potential for not collecting the fine will create a problem. The City Attorney stated that this is a target type of offense and would be used in a situation where you would have someone passed out, but not disorderly. Mr. Isom inquired as to how many times this has been questioned in court and asked for an example of what has happened in the past. Chief McNair stated that this was questioned recently by a client’s attorney as he felt his client did not fall under the current ordinance as drunk and disorderly. Mr. Myers asked if as reasonable solution would be to include an and/or clause. The City Attorney stated that Section 28-83 of the City code specifically deals with disorderly conduct and a great amount of space is dedicated to specifically defining disorderly. He stated that without specifying the condition it could be argued as being vague. After discussion, Mr. Jumper made a motion to approve the Ordinance Amendment on first reading. Mr. Jenkins seconded the motion which was unanimously approved.

D. Approval of Ordinance Amendment to Sec. 2-67 (b) of the City of Cayce Code of Ordinances re Executive or Conference Sessions – Second Reading

Council considered for second and final reading an Ordinance Amendment to Sec. 2-67 (b) of the City Code of Ordinances regarding executive or conference sessions. Mr. Myers made a motion to approve the Ordinance Amendment on second and final reading. Mr. Isom seconded the motion which was unanimously approved.

E. Approval to Eliminate Second Pick-up Per Week Sanitation Service

The City Manager stated that this issue is on the agenda per discussion with Council. He stated that Ms. Swygert was in attendance to provide Council with additional information and that he has prepared a memo showing the cost incurred for the second pick up including diesel fuel, repairs, and labor. He stated that another issue that enters into this is the roll cart program. He stated that previously the City used the bagged system and there was concern that bags lying around all week would become acrid and cause problems for the residents. He stated that by using the roll cart, they hold more garbage and garbage is contained which alleviates this somewhat. Mayor Partin inquired as to the reason behind twice a week. The City Manager stated that during summer months there appears to be more trash, problems with smell during hot weather, etc. He added that Columbia, West Columbia, and Lexington, only pick up once a week. Mr. Isom stated he sees we are talking about almost a \$31,000 savings. Mr. Myers inquired if the Sanitation budget would be reduced by \$31,000 if the second pick up is eliminated. Ms. Swygert stated that the savings would come close to this amount. She stated that if you figure the wear and tear and man hours that those trucks have on them, it will take more and more if we continue the twice a week pick up service. Mr. Myers stated that he was opposed to eliminating this service and made a motion not to approve the elimination of the twice a week pick up service. He stated that he was concerned that the memo issued brings up the \$3.00 bi-monthly sanitation service fee that has absolutely nothing to do with the operation of the Sanitation Department. He stated that the fee was designed for capital expense for equipment. The City Manager stated that it was included for explanation of what that fee is producing in terms of an equipment fund. Mr. Myers stated that he recently attended an Edenwood Neighborhood Association meeting and polled those in attendance. He advised that more than 5 to 1 they were in favor of the twice a week pick up service. Mr. Isom stated that when he was campaigning, he only had 5 in 100 people that wanted twice a week pick up service and asked Ms. Swygert her opinion. Ms. Swygert stated that her recommendation would be eliminate the twice per week service to save money and reduce the wear and tear on the trucks, and to keep those trucks longer, it will cost us more if we continue the twice a week service. Mr. Isom stated that he understands Mr. Myers' point as well. Mr. Myers noted the differences in each Council district and that different responses would be received from each district. Mr. Jenkins stated that in reference to the wear and tear on the equipment, he would like to see some numbers. Ms. Swygert provided Mr. Jenkins with the figures that were compiled by the Garage Manager. Mr. Jenkins stated that this is the first year we have the roll

cart program in place and we really do not know how it will work during the summer months. Mr. Jumper stated that he did not think there will be any problem with the roll cart system because it is big enough to hold a volume of garbage, however he was not sure what it would be like in the summer months. Mayor Partin suggested a compromise to reduce twice a week pick up service and provide the service during June, July and August only. Mr. Myers withdrew his original motion. Mr. Isom made a motion to reduce twice a week garbage pick up service and provide the service during the months of June, July and August only. Mr. Jumper seconded the motion. Mr. Jenkins asked that staff be courteous with residents who call about the reduction in service and to work with citizens upon special request. After discussion the motion passed four to one with Mr. Isom, Mr. Jumper, Mayor Partin, and Mr. Jenkins voting yes and Mr. Myers voting no.

Other

A. Approval to Proceed with Transparency Program Offered Through the State Comptroller General's Office

The City Manager advised that with Council's consent, staff met with Mr. Rod Shealy, Jr. of the Comptroller General's office regarding the transparency program offered through his office. He stated that discussions centered on what file format could be used and what the file layout should include. He stated that after the meeting, Mr. Shealy asked that the city supply a test file for his office to determine if the city output could be used and was compatible. He stated that if the city participates, the information will be posted on the Comptroller General's website and the file produced will be in an Excel format of the city's check register. He provided Council with a sample of the City's data file noting that the account description field cannot be included unless a staff member manually goes through the entire file and manually edits that field. He stated that a monthly file could be emailed to Mr. Shealy for inclusion in the monthly update on their website. Mr. Isom made a motion to participate in the transparency initiative and produce test data to send to Mr. Rod Shealy. Mr. Jumper seconded the motion.

Mr. Isom noted that on the bottom of page 1 of the City Manager's memo it states that the account description file cannot be included unless a staff employee manually goes through the entire file and manually edits that field and asked if that would create an extra expense or was even necessary. The City Manager stated that the city does not have to provide that information, however if the city wants to, staff would have to manually edit the entire file to provide that information. Mr. Myers inquired about the sample provided to Council that does not give an explanation for the expenditure and asked how staff would handle calls coming in daily asking for the explanation of expenditures. He stated that there needs to be some guidelines in place. He stated he was not opposed to transparency, but is opposed to inefficient government and can see the phone ringing off the hook from citizens asking how and why the city spent this money. He stated that if there are no guidelines in place, the treasurer's staff would be

overwhelmed trying to answer questions. The City Manager stated that the only thing staff can produce electronically is the list. Mr. Myers stated the list does not provide explanations and that Mr. Isom may have some ideas since he has looked at it closely. Mr. Isom stated that in discussions with Mr. Eckstrom is that providing this information actually reduces the number of calls as far as budgetary items and part of this is the fact when the data is entered, the data is correct and it is not very hard to aggregate the data. Ms. Barkley stated that to date she was not aware of the City receiving any calls regarding financial aspects of the city. Mr. Myers stated that some type of guidelines need to be put into place and approved by Council. Mr. Isom stated that the FOIA format would be a good model to follow. The City Manager stated that he could sit down with Mr. Isom to draft guidelines and submit the draft to Council for review and approval. Mayor Partin stated that the monthly financial reports are on the City's web site and the information provided to Mr. Eckstrom's office could also be included on the City's web site. After discussion the motion was unanimously approved.

B. Bid Award – Old Barnwell Force Main Replacement Project

The City Manager advised that the existing sewer force main along the lower section of Old Barnwell Road has a history of line failures and many emergency repairs have been made because of the line failures. He stated that public complaints from local residents have been numerous because of the repair disruptions and sewer releases at the line breaks. He stated that staff believes that the breaks have occurred as a result of pipe fatigue over the years from the constant surges in the line from pumpstation on and off cycles. He stated the existing sewer force main was installed in the mid 1990's and the pumpstation has pumps that are very large for the existing 10" force main now in service. He stated that this situation creates a larger than normal flow velocity which in turn causes higher surge pressures in the pipe.

The City Manager stated the proposed upgrade includes a 12" pipe which will reduce the line velocity and will reduce the surge pressures in the line. It is also proposed that a much thicker pipe wall, which has a minimum of a 50-year service life, be used to help withstand the surge pressures. He stated that DHEC construction and SCDOT encroachment permits have been applied for and received by the City for the proposed line replacement project.

He stated that requests for proposals and bids were sent and received from four construction companies for the project. The company with the lowest proposal is Wiley Easton Construction Company at \$53,840. He stated that this company has performed water and sewer line work in the Indigo Place subdivision and the work has been inspected and accepted by the City. He stated that if the contract is awarded, construction is expected to start soon upon Council approval and a 90-day project construction period is anticipated.

Mayor Partin stated that grassing and restoration was included in the highest bid would like to be respectful of the people's property that will be touched by the project.

She inquired if the bid received from Wiley included grassing and restoration. Mr. Robinson stated that this will be part of the contract.

Mr. Myers made a motion to award the bid to Wiley Easton Construction Company in the amount of \$53,840 and to authorize the City Manager to sign the contract on behalf of the city. Mr. Isom seconded the motion which was unanimously approved. The City Manager advised that funds for the project will be taken from Utility fund reserves reimbursed by the 2007A Revenue Bonds which has a balance in excess of \$4 million.

C. Charette Master Plan – Discussion/Action

Mayor Partin recognized sponsors of the Charette Master Plan who were in attendance—Mr. Dan Jones, Time Warmer Cable, Mr. David Kelly, and Mims, Strategies Development Group. She also recognized other sponsors to date who were unable to attend the meeting and thanked all the sponsors for their generous support. She stated that the sponsors to date represent nearly two-thirds of the amount needed to complete the funding for the Charrette Master Plan and the residents and business owners are excited about the process to create a master plan for the city. She asked Council to consider using public funds to complete the remaining one-third needed. Mr. Jenkins made a motion to use public funds to complete one-third of the funding needed. Mayor Partin distributed a recently completed Charette Master Plan from the Town of Blythewood.

Mr. Myers stated that Council discussed and was agreeable to a Charrette Master Plan back in January or February, but it was predicated upon the Mayor raising funds from private industry and not using funds from the city. He stated that he was not sure the city has \$10,000 in this fiscal year budget. He stated that when Council is looking at a budget where there is concern for keeping our employees employed during these difficult economic times, he was not sure how Council could move this process along. He stated he felt the private funding should be in place before proceeding. He stated that Mayor Partin has done a good job in obtaining private funding for the project, but that he was not comfortable going out and asking business in Cayce to support a project when they already pay taxes, business license fees to the City. He stated that if this project needs to be publically funded, it can be considered during the FY 2009-2010 budget process after Council reviews the economic situation and how it is going to affect the City. Mr. Isom stated that he agreed with Mr. Myers and inquired if the Comprehensive Plan re-write project would pick up some of the same data. Mr. Knudsen stated that these are two separate processes and to put it simply, the Comprehensive Plan is like baking a cake and the Charette Master Plan is the icing on the cake. He stated the two processes compliment each other. He advised that the Comprehensive Plan project is an ongoing process. Mayor Partin disagreed with the analogy stating the Charette Master Plan is the foundation and that the Comprehensive Plan does not have much to do as to how the city looks, and creating a vision for the city. She stated that the vision includes signage, marketing targets for new businesses,

new marketing strategy, design recommendations for key commercial areas and cost effective design recommendations for significant buildings. She stated, however, that perhaps the most value from the process is the vision created with input from involved citizens. She stated that she would argue that this is the best use of the city's funds in these tough economic times because you have to spend money to get money and if we're going to make Cayce a viable place to work and live, then we're going to need to go through this process and hear the voices of the citizens. She asked for Council's approval to use public funds for the remainder of the cost needed. Mr. Myers restated his original comment that if this Council is in full support of this project maybe it should be a publically funded project and could be placed in the FY 2009-2010 budget. He stated that we're looking at \$10,000 it is a matter of perception and when we're talking about cutting staff in order to match the revenue that is projected by the city, he was not sure that would be a priority. Mr. Myers stated that he felt Council did know where the City wants to go and felt that the city was moving in the right direction. There was no further discussion and the motion failed.

Mayor Partin then asked Council if they would be willing to assist her in obtaining private funds for the final one-third needed. Mr. Myers stated that because of the economic situation he did not feel comfortable in requesting sponsorship funding.

Mr. Jenkins stated that he wanted to hear from the City Manager regarding comments made by Council on reducing staff and inquired if that was the City Manager's intention. The City Manager replied absolutely not. He stated that he has had discussions with staff regarding the current state of the economy and cutting back on expenses, but a reduction in staff has not been discussed. Mr. Jenkins stated that Council's statements are sending out the wrong message that the city is getting ready to lay off people and stated that Council needed to stick to the facts. He stated that if Council is not supportive of the Charrette Master Plan, then Council should state that fact and not imply that the City is going to reduce its work force. Mayor Partin stated that she would continue to work on obtaining funds and felt that it was important to hear and include the voices of the city's people.

Committee Matters

A. Committee Minutes

Council reviewed the following Committee meeting minutes for approval to enter into the official city record:

Accommodations Tax Committee – March 10, 2009. Mr. Jenkins made a motion to approve entering the minutes into the official city record. Mr. Myers seconded the motion which was unanimously approved.

Beautification Board – March 10, 2009. Mr. Jenkins made a motion to approve entering the minutes into the official city record. Mr. Myers seconded the motion. Mr.

Myers stated that the Board's project includes a decorative stop sign on Lavern Jumper and asked that the Board be aware of the SC DOT requirements. After discussion, the motion was unanimously approved.

Cayce Museum Commission – March 11, 2009. Mr. Myers made a motion to approve entering the minutes into the official city record. Mr. Isom seconded the motion which was unanimously approved.

Cayce Events Committee – March 12, 2009. Mr. Myers made a motion to approve entering the minutes into the official city record. Mr. Isom seconded the motion which was unanimously approved.

Planning Commission – February 23, 2009 postponed – Mayor Partin advised that March 16, 2009 minutes that were provided in Council's packet had not be approved by the Planning Commission and that the Clerk has provided Council with the approved minutes from the February 23, 2009 meeting. Mr. Myers made a motion to postpone the issue until Council has had time to review the minutes. Mr. Isom seconded the motion which was unanimously approved.

Cayce Housing Authority – March 24, 2009. Mr. Myers made a motion to approve entering the minutes into the official city record. Mr. Jumper seconded the motion which was unanimously approved.

Committee Appointments

Housing Construction Board of Adjustment and Appeals – One (1) Position

Mr. Charles Mellette's term expires April, 2009. His reappointment application has been received and is attached for your review. It is recommended that Mr. Mellette be reappointed to the Board. Mr. Jumper made a motion to reappoint Mr. Mellette to the Board. Mr. Myers seconded the motion which was unanimously approved.

Ad Hoc Committee – Nine (9) Positions

The Planning Commission has received an additional 9 potential member applications for the Ad Hoc Committee and are attached for your review. Mr. Myers made a motion to appoint the 9 positions to the Committee and that applications be closed except for District 2. Mr. Jenkins seconded the motion which was unanimously approved.

Mayor Partin inquired about the reappointment of Mr. Golightly that was discussed and postponed at the March 3, 2009 Council Meeting. Ms. Barkley advised that this issue would be placed on the May Council agenda.

City Manager's Report

March Financial Report – The City Manager stated that staff was in the process of closing out the month and reports will be sent out soon and will be posted on web site.

The City Manager provided Council with the following dates:

- April 8 – Health Fair at City Hall, 8 a.m.
- April 10 – Good Friday Holiday, City Hall closed, normal pick up
- April 15 – Deadline for 2009 Statement of Economic Interest form
- April 15 – Council Budget Workshop, 8 a.m.
- April 16 – LCMA, Holy Trinity Lutheran Church in Pelion, 6:30 p.m.
- April 18 – Cayce Plant Exchange at City Hall
- **POSTPONED** – Lexington District 2 School Board Meeting, Presentation of Resolution to Frankie Newman
- April 21 – Airport High School Educational Foundation Dinner, Brookland Baptist, 6 p.m.
- April 22 – Customer Service Training for Staff
- April 25 – Racers Reunion at Old Columbia Speedway

The City Manager provided Council with the following updates:

- Wastewater Treatment Plant Update – The City Manager stated that Attorneys for all three parties met last Friday and that he would be meeting with the City Attorney on Wednesday to go over comments and suggestions made.
- Victory Garden Discussion – Mr. Isom stated that this issue was still in the planning process and will eventually request that it be placed on the agenda. He stated that he would like to have Sue Miles make a presentation to Council at that time.
- Central Midlands Regional Transportation Authority – The City Manager provided Council with a copy of the CMRTA's Ridership Report for review.
- Discussion of Evaluation Form – Mayor Partin advised that there has never been a written form for the evaluation of the City Manager and that she asked staff at MASC to provide a sample of what other municipalities use. She stated that MASC provided a template for review and that she and the Mayor Pro-tem, Mr. Jenkins met with the City Manager and reviewed the form with him. During discussions with MASC, it was suggested that the City Manager be provided with the format of the evaluation form and then be evaluated in three months. She stated that in her opinion, this was the way the annual review should be handled so it does not come as a surprise for anyone. She stated that she felt an evaluation should not be a list of everything that has been done right and everything done wrong. She stated that she feels that feedback should be conveyed at the time and not included as a list.

Mr. Isom inquired as to who made the decision to use this tool for the evaluation. Mayor Partin stated it was provided by MASC. Mr. Isom stated that he has no problem in having a written component, however, his impression was that as a Council all members, as a body, need to review and come to a decision whether it is evaluating the City Manager or other matters. The City Attorney stated that the City Manager is one of the employees that is appointed by Council, same as the City Attorney or City Judge is appointed. He stated that Council could decide to evaluate the City Manager on a yearly basis. He stated that this year, the Mayor has proposed a written evaluation and in the past there has been an oral evaluation in Executive Session. He stated that the procedure is not specified in the law or ordinance so it would be up to this body on how to go about evaluating the City Manager. He stated it was his understanding that the Mayor is suggesting this evaluation form be used and not omit the oral evaluation. Mayor Partin stated that the City of Columbia has been under great fire for not following through with evaluations of the City Manager.

Mr. Isom stated that he felt Council should sit down as a whole body, review the form and provide their interpretation to make it a custom tool for our environment. He stated that he was also concerned with the scale of 1-3. He stated that he felt Council needed to delineate clearly and would like to have an interactive conversation with Council on this issue whereby the Mayor could go through the rationale used, look at each point and discuss if there is anything else that needs to be added. Mr. Myers stated that he felt there was a lot of comment area and appears to be a starting and learning process for Council. He stated that the form could be as formal or informal as Council desires. He stated that the process of having a measurable format is probably not a bad thing, but it is open ended enough that if other items come up, the form can be revised. Mr. Myers stated that this is a private personnel document and when it becomes a printed document it is just that and not subject to FOIA. He stated that he felt the proposed document was very thorough, but just like any other personnel document, Council and staff needs to be careful how its handled and be very sensitive to that. He stated that from the other side, if Council asks the City Manager to fill out this form on the five Council members, where would it go? He stated that the City Manager has always been open to Council's suggestions and felt that Council would find that to remain the same. Mr. Jumper inquired as to the problem with the way it has been done in the past. Mayor Partin stated that she felt it is more helpful for someone to know what is expected of them. Mayor Partin stated that Council would go forward with this document.

Update on Property and Liability Insurance Renewal and Certified Appraisal Offer

The City Manager advised that the property and liability insurance renewal bid has been received and is approximately \$2,000 or so lower than this year's premium. He stated that he has included this renewal premium in the draft budget. A certified appraisal offer to determine actual values on our properties was included. It is not required but is offered as an alternate. If the city chooses to go with the appraisal the

premium could increase if the values increase. The city Manager is no recommending that the city conduct an appraisal at this time

Executive Session

- A. Receipt of legal advice related to a matter covered by the attorney-client privilege

Mr. Myers made a motion to move into Executive Session to discuss the matter above. Mr. Jenkins seconded the motion which was unanimously approved.

Reconvene

After the Executive Session was concluded, the Regular meeting was reconvened. Mayor Partin announced that no vote was taken in Executive Session other than to adjourn and resume the Regular meeting

There being no further business, the meeting adjourned at 9:15 p.m.

Elise Partin, Mayor

ATTEST:

Tammy P. Barkley, CMC, Municipal Clerk